

amendment this morning—I was not on the floor at that time, and I may not be when the bill is perfected—I should like at this point to suggest that there are several other places in the bill that I think ought to be looked at.

For instance, on page 5, the amendment provides that money shall be paid out of the Treasury of the United States—to the treasurer or other officer of the State duly authorized by the laws of the State to receive the same.

I think perhaps that language would not cover the District of Alaska. They may not have what is known as a State treasurer there.

Similar language appears on page 14, in line 22, where it provides that the States—

shall, through the legislative authority thereof, accept the provisions of this act relating to such fund, and shall appoint the State treasurer custodian.

I think these expressions, perhaps, ought to be modified if the amendment has been adopted.

Mr. SMITH of Georgia. I hardly think that is true. I think a general provision extending the provisions of the bill to Hawaii, Alaska, and Porto Rico would carry with it such a construction as would make the necessary modification of the particular language theretofore used with reference to the States. But that is a matter which can be investigated in detail a little later on.

Mr. BRANDEGEE. That is the only purpose I had in saying what I did. I do not know whether the district of Alaska has any such official as would compare with the treasurer of a State of the Union. My object is simply to draw attention to that point.

Mr. SMITH of Georgia. Under the terms of the bill it would be some one duly authorized by the Legislature of Alaska to receive it.

Mr. BRANDEGEE. The bill itself provides in one place that the State shall designate the State treasurer or some other officer to receive this money.

Mr. SMITH of Georgia. Yes; the duly constituted authorities of the State.

Mr. BRANDEGEE. Then, on the other page that I alluded to it is provided that the State treasurer shall be the custodian. All my interest in it is to have the terms of the bill in harmony, so that it will be workable.

While I am on my feet I should like to make another suggestion to the Senator from Vermont. On page 19, in section 25, the amendment provides:

That the Secretary of the Interior shall annually * * * ascertain whether such State or the District of Columbia is using moneys received by it out of the rural-school fund, the industrial-school fund, the agricultural high-school fund, the college teachers' training fund, or the teachers' training fund in accordance with the spirit and terms of this act.

The terms of the act are perfectly visible, but the spirit of it may not be. I move to strike out the words "spirit and," so that the law may be administered according to its terms.

Mr. PAGE. I accept that amendment.

The amendment to the amendment was agreed to.

The PRESIDENT pro tempore. The Senate will receive a message from the House of Representatives.

Mr. SMITH of Georgia. Mr. President, I should like to give notice that on Wednesday morning, at the close of the morning business, I shall ask the Senate to resume the consideration of House bill 22871.

DEATH OF REPRESENTATIVE SYLVESTER C. SMITH.

A message from the House of Representatives, by J. C. South, its Chief Clerk, communicated to the Senate the intelligence of the death of Hon. SYLVESTER C. SMITH, late a Representative from the State of California, and transmitted resolutions of the House thereon.

Mr. PERKINS. I ask the Chair to lay before the Senate the resolutions just received from the House of Representatives.

The PRESIDENT pro tempore. The Chair lays before the Senate resolutions of the House of Representatives, which will be read.

The Secretary read the resolutions, as follows:

IN THE HOUSE OF REPRESENTATIVES, January 27, 1913.

Resolved, That the House has heard with profound sorrow of the death of Hon. SYLVESTER CLARK SMITH, a Representative from the State of California.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy to the family of the deceased.

Resolved, That as a further mark of respect this House do now adjourn.

Mr. PERKINS. Mr. President, I offer the resolutions I send to the desk, for which I ask present consideration.

The PRESIDENT pro tempore. The resolutions submitted by the Senator from California will be read.

The Secretary read the resolutions (S. Res. 443), as follows:

Resolved, That the Senate has heard with deep sensibility the announcement of the death of Hon. SYLVESTER C. SMITH, late a Representative from the State of California.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the late Representative SYLVESTER C. SMITH the Senate do now adjourn.

The PRESIDENT pro tempore. The question is on agreeing to the resolutions.

The resolutions were unanimously agreed to; and (at 4 o'clock and 51 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, January 28, 1913, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

MONDAY, January 27, 1913.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Father in heaven, draw near to us as we draw near to Thee and fill our minds with clear perceptions, noble desires, pure convictions, and the courage to live them, that we may be one with Thee in the furtherance of every good, and thus be strengthened by imparting strength, wise by imparting wisdom, pure by imparting purity as we journey through life's rugged way, and so glorify Thee in a faithful service to our fellow men.

Once more in the dispensation of Thy providence death has entered our family and taken from us a faithful servant. Comfort us and his bereaved family by the blessed hope of the life eternal; in Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

DISTRICT DAY.

The SPEAKER. This is District day, and the gentleman from Kentucky [Mr. JOHNSON] is recognized.

GERMAN ORPHAN ASYLUM ASSOCIATION.

Mr. JOHNSON of Kentucky. Mr. Speaker, I call up the bill S. 7508.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

An act (S. 7508) to amend an act entitled "An act to reincorporate and preserve all the corporate franchises and property rights of the de facto corporation known as the German Orphan Asylum Association of the District of Columbia."

Be it enacted, etc., That the act entitled "An act to reincorporate and preserve all the corporate franchises and property rights of the de facto corporation known as the German Orphan Asylum Association of the District of Columbia," approved on the 6th day of February, 1901, be, and the same is hereby, amended by adding to and making a part of section 1 of the said act the following:

"And the said German Orphan Asylum Association of the District of Columbia may hereafter fix, limit, and determine the number of directors to constitute its board of directors by any constitution or constitutions which may hereafter be adopted by the said association, and the number of its said directors may be decreased or increased as provided by any constitution or constitutions, or any amendment or amendments thereto, which the said association may lawfully adopt."

Mr. EDWARDS. Mr. Speaker, I make the point of no quorum, and move a call of the House.

The SPEAKER. The Chair will count.

Mr. EDWARDS (during the counting). Mr. Speaker, I withdraw the point temporarily.

The SPEAKER. The gentleman from Georgia [Mr. EDWARDS] withdraws the point temporarily.

Mr. MANN. I should like to ask the gentleman from Kentucky [Mr. JOHNSON] a question. If this bill should pass, giving to this corporation the authority to increase or decrease this board of directors as it pleased in the future, would that be practically in conformity with the general law in reference to corporations?

Mr. JOHNSON of Kentucky. I may say, Mr. Speaker, that I have no more information on that subject, and perhaps not so much, as the gentleman from Illinois [Mr. MANN] himself.

Mr. MANN. I do not remember, I will say to the gentleman. Mr. JOHNSON of Kentucky. I do not remember either; but the committee was simply endeavoring to do what those in charge of the German Orphan Asylum desired, and we did not believe that there was any question as to their motives.

Mr. KAHN. I think they have a charter from the Congress.

Mr. MANN. As I understand from the report and the statements, they wish to increase the number of their board of directors. But suppose hereafter they should wish to decrease it to one; would that same power exist in reference to an ordinary corporation?

Mr. JOHNSON of Kentucky. I am sure I do not know. I did not go into it with such detail as that, having absolute confidence in the management.

Mr. MANN. The management in the course of time might change.

Mr. JOHNSON of Kentucky. I do not think it would change for the bad in this matter.

Mr. KAHN. I do not think that they would decrease it to one.

Mr. MANN. I think under this law they could increase it to a hundred or decrease it to one.

Mr. KAHN. The purpose is to give them additional power to that which they have.

Mr. MANN. This gives them the power to increase or decrease hereafter as they choose.

Mr. JOHNSON of Kentucky. Some of the managers of the asylum said the law was absolutely necessary in order to enable them to carry on their business.

The SPEAKER. The question is on the third reading of the Senate bill.

The bill was read a third time and passed.

FIFTH REGIMENT MARYLAND NATIONAL GUARD.

Mr. JOHNSON of Kentucky. Mr. Speaker, I now call up Senate joint resolution 153.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

Joint resolution (S. J. Res. 153) granting to the Fifth Regiment Maryland National Guard the use of the corridors of the courthouse of the District of Columbia upon such terms and conditions as may be prescribed by the marshal of the District of Columbia.

Resolved, etc., That the marshal of the District of Columbia be, and he is hereby, authorized to permit the Fifth Regiment Maryland National Guard to occupy and use the corridors of the courthouse of the District of Columbia, from 6 o'clock in the evening of March 3 to 7 o'clock in the evening of March 4, 1913, upon such terms and conditions as the marshal of the District of Columbia shall impose upon the colonel of the Fifth Regiment Maryland National Guard.

The SPEAKER. The question is on the third reading of the Senate joint resolution.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed.

CAPITAL PUNISHMENT BY ELECTROCUTION.

Mr. JOHNSON of Kentucky. Mr. Speaker, I desire to call up Senate bill 7162.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

An act (S. 7162) to amend section 801 of the Code of Law for the District of Columbia.

Be it enacted, etc., That section 801 of an act entitled "An act to establish a Code of Law for the District of Columbia," approved March 3, 1901, as amended by the acts approved January 31 and June 30, 1902, and subsequent acts to and including March 4, 1911, be, and the same is hereby, amended to read as follows:

"Sec. 801. The punishment of murder in the first degree shall be death by electrocution. The punishment of death must, in every case, be inflicted by causing to pass through the body of the convict a current of electricity of sufficient intensity to cause death, and the application of such current must be continued until such convict is dead. The punishment of murder in the second degree shall be imprisonment for life or for not less than 20 years. In all cases where the accused is found guilty of the crime of murder in the first degree the jury may qualify their verdict by adding thereto 'without capital punishment,' and whenever a jury shall return a verdict as aforesaid the person convicted shall be sentenced to imprisonment for life."

Mr. MANN. Mr. Speaker, is the gentleman from Kentucky [Mr. JOHNSON] sure as to what effect the passage of this bill would have upon the persons now under sentence of death in the District?

Mr. JOHNSON of Kentucky. I will say to the gentleman from Illinois that I do not regard that as a question of importance. It is my opinion, however, that those who are now under sentence of death in the District of Columbia must be executed under the laws which were in existence at the time of the conviction and passage of sentence. We had practically the same subject in Kentucky two or three years ago, and my recollection is that that was determined to be the law there when we changed the method of capital punishment from hanging to electrocution.

Mr. MANN. My recollection is—and I am not certain how far it is correct—that there is a general law providing that where a law is repealed and changed it shall not affect a prosecution then being carried on. How far it would affect a case where sentence had been imposed I do not know. Here, for example, is a sentence, sentencing a man to be hanged until he is dead. Now, if you take away the power to hang that man, he probably goes free. There is now no way of punishing him.

Mr. JOHNSON of Kentucky. I will say to the gentleman from Illinois that I understand the bill was prepared by the United States district attorney for the District of Columbia, and I will further say that I myself in committee voted against the bill. This bill comes in with a report from the majority of the committee. I am in favor of inflicting the most ignominious kind of death possible upon a man guilty of deliberate murder. I believe that hanging is a more ignominious death than the

other form, and for that reason I was against this bill. But I am here supporting it in accordance with the majority vote of the committee.

Mr. MANN. I presume that the district attorney in drafting the bill gave consideration to its effect upon sentences now in existence, although there is nothing in the letter of the commissioners upon that subject, as there should be.

The SPEAKER. The question is on the third reading of the Senate bill.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

UNLAWFUL DEPOSITS IN THE POTOMAC RIVER.

Mr. JOHNSON of Kentucky. Mr. Speaker, I desire to call up Senate bill 1072.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

An act (S. 1072) to amend section 895 of the Code of Law for the District of Columbia.

Be it enacted, etc., That section 895 of the Code of Law for the District of Columbia, making harbor regulations, is hereby amended by adding thereto the following:

"Sec. 895 a. That it shall be unlawful for any owner or occupant of any wharf or dock, any master or captain of any vessel, or any person or persons to cast, throw, drop, or deposit any stone, gravel, sand, ballast, dirt, oyster shells, or ashes in the water in any part of the Potomac River or its tributaries in the District of Columbia, or on the shores of said river below high-water mark, unless for the purpose of making a wharf, after permission has been obtained from the Commissioners of the District of Columbia for that purpose, which wharf shall be sufficiently inclosed and secured so as to prevent injury to navigation.

"That it shall be unlawful for any owner or occupant of any wharf or dock, any captain or master of any vessel, or any other person or persons to cast, throw, deposit, or drop in any dock or in the waters of the Potomac River or its tributaries in the District of Columbia any dead fish, fish offal, dead animals of any kind, condemned oysters in the shell, watermelons, cantaloupes, vegetables, fruits, shavings, hay, straw, ice, snow, filth, or trash of any kind whatsoever.

"That nothing in this act contained shall be construed to interfere with the work of improvement in or along the said river and harbor under the supervision of the United States Government.

"That any person or persons violating any of the provisions of this section shall be deemed guilty of a misdemeanor, and on conviction shall be punished by a fine not exceeding \$100, or by imprisonment not exceeding six months, or both, in the discretion of the court."

Mr. JOHNSON of Kentucky. Mr. Speaker, on page 2, line 11, I move to strike out the words "ice, snow" and to insert in lieu thereof the word "or," and also to strike out the words "or trash." That means sweepings.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 2, line 11, by striking out the words "ice, snow" and inserting in lieu thereof the word "or," and also striking out the words "or trash."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. MANN. Mr. Speaker, the idea of this bill is to prevent the depositing of stone, gravel, sand, and so forth, in the Potomac River within the District of Columbia, unless for the purpose of making a wharf after permission has been obtained from the Commissioners of the District of Columbia.

Supposing somebody wants to build a wharf down at Alexandria, does he have to obtain the consent of the Commissioners of the District of Columbia?

Mr. JOHNSON of Kentucky. I think the gentleman will find the jurisdiction accurately described in line 11, on page 1.

Mr. MANN. No. It reads:

In the water in any part of the Potomac River or its tributaries in the District of Columbia, or on the shores of said river below high-water mark.

The words "or on the shores of said river below high-water mark" do not seem to be limited to the District of Columbia.

Mr. JOHNSON of Kentucky. The gentleman from Illinois has often criticized bills that come from the Municipal Building, and he is pretty nearly always right.

Mr. MANN. I am not criticizing it.

Mr. JOHNSON of Kentucky. I think I agree with the gentleman that this might have been more accurately drawn, but I think nobody will hesitate to give it the meaning that it applies to the District of Columbia alone.

Mr. LOBECK. Why did you strike out the word "trash"?

Mr. JOHNSON of Kentucky. If they sweep the deck of a boat on the river, must they carry the sweepings ashore? We thought that was too small a matter to deal with, and so we concluded to strike it out.

Mr. LOBECK. All right.

The SPEAKER. The question is on the third reading of the Senate bill.

The bill as amended was ordered to a third reading, and was accordingly read the third time and passed.

UNAUTHORIZED USE OF VEHICLES.

Mr. JOHNSON of Kentucky. Mr. Speaker, I desire to call up the bill (S. 6919) to amend subchapter 2 of chapter 19 of the Code of Law for the District of Columbia.

The bill was read, as follows:

Be it enacted, etc., That the Code of Law for the District of Columbia be amended by adding to subchapter 2 of chapter 19 the following section:

"Sec. 826b. Unauthorized use of vehicles.—Any person who, without the consent of the owner, shall take, use, operate, or remove, or cause to be taken, used, operated, or removed from a garage, stable, or other building, or from any place or locality on a public or private highway, park, parkway, street, lot, field, inclosure, or space, an automobile or motor vehicle, and operate or drive, or cause the same to be operated or driven for his own profit, use, or purpose, shall be punished by a fine not exceeding \$1,000 or imprisonment not exceeding five years, or both such fine and imprisonment."

The bill was ordered to a third reading, and was accordingly read the third time and passed.

OBSCENE OR VULGAR PICTURES.

Mr. JOHNSON of Kentucky. Mr. Speaker, I call up the bill (S. 2600) to authorize the Commissioners of the District of Columbia to prevent the exhibition of obscene, lewd, indecent, or vulgar pictures in public places of amusement in the District of Columbia.

The bill was read, as follows:

Be it enacted, etc., That the Commissioners of the District of Columbia, in addition to the police powers now vested in them, be, and they are hereby, empowered and directed to prevent the exhibition of obscene, lewd, indecent, or vulgar pictures in any theater, moving-picture show, or other public place of amusement in the District of Columbia, and to make all needful and necessary regulations for such purpose.

SEC. 2. That no picture film or picture intended for exhibition in any such theater, show, or other public place of amusement shall be exhibited without previous submission to the said commissioners for investigation and approval, and be approved, found, and determined by said commissioners, after opportunity to be heard, not to be obscene, lewd, indecent, or vulgar. Every violation of this act or of any regulation made under the authority hereof shall be punished by a fine not exceeding \$40, on prosecution by information in the police court of the District of Columbia, filed in the name of said District of Columbia by the corporation counsel or any of his assistants.

The bill was ordered to a third reading, and was accordingly read the third time and passed.

CATHERINE MARONEY.

Mr. JOHNSON of Kentucky. Mr. Speaker, I desire to call up from the Private Calendar the bill (H. R. 23939) to legalize titles in the District of Columbia to certain citizens.

The SPEAKER. This bill is on the Private Calendar. The House will have to go into Committee of the Whole.

Mr. JOHNSON of Kentucky. I ask unanimous consent to consider it in the House as in Committee of the Whole.

Mr. MANN. May we have the bill read first to see what it is?

The SPEAKER. The Clerk will report the bill.

The bill was read as follows:

Be it enacted, etc., That Catherine Maroney, a citizen of the United States and a resident of the city of Leadville, in the State of Colorado, be, and she hereby is, authorized to acquire, hold, and dispose of any and all real estate lying in the District of Columbia, as heir at law of Mary Shugrue, a citizen of the United States and late of the District of Columbia, notwithstanding the alienage of the common ancestor of said Mary Shugrue and Edward D. Brown, son of said Catherine Maroney by her first husband, through whom the said Catherine Maroney traces her right to acquire the said real estate, and that all forfeitures incurred by reason of any act of Congress or law in force in the District of Columbia in respect of said real estate are hereby remitted; and further, that the United States hereby quitclaim and release in favor of said Catherine Maroney, her heirs and assigns, any and all title which they, the said United States, have in or to any real estate in the city of Washington and District of Columbia of which the said Mary Shugrue died seized and possessed.

The SPEAKER. Is there objection to considering this bill in the House as in Committee of the Whole?

There was no objection.

Mr. BORLAND. Mr. Speaker, I move to strike out the last word. I should like to have some explanation of the necessity for this legislation.

Mr. RUCKER of Colorado. Mr. Speaker, if the gentleman from Kentucky [Mr. JOHNSON] will permit me, I will say in answer to the gentleman from Missouri [Mr. BORLAND] that Mrs. Maroney, whom the bill is designed to benefit, owns, or thinks she owns, a small piece of land with a building upon it here in Washington. She has sought to dispose of it a number of times, asking the guaranty companies to pass upon the title, but by reason of certain confiscatory acts providing that title held by aliens should not pass, they would not certify this title to be perfect and it was deemed necessary to introduce this bill to relieve her of the embarrassment in the sale of this property. The Supreme Court of the United States passed upon a similar case, but left it in some doubt, and the Commissioners of the District, in writing upon this subject, disclose the fact that there is yet some doubt as to whether the

acts of Congress heretofore enacted upon the subject of these titles, accompanied and fortified as they are by the decision of the Supreme Court of the United States, are effective. The bill can do no possible harm, and in this particular case it will enable the owner to sell it.

Mr. BUCHANAN. What does the property consist of?

Mr. RUCKER of Colorado. It is a small piece of real estate in the District of Columbia. I have not the description so that I can answer the gentleman's question. It is a piece of property that she fell heir to.

Mr. BORLAND. Mr. Speaker, this is a form of legislation that would not be permitted in any State in the Union that I know of. It would be forbidden by the constitution of almost every State in the Union. It is not permissible to validate private title by legislative act in this way. If the Congress of the United States has passed an act forbidding title by descent through aliens it does not seem to me that it is proper by private act to change that in individual cases. If that act is unjust, it ought to be repealed. If there is any other way to arrive at justice in this case, Congress ought not to be required to sit here and pass private acts. We have no information before us as to the extent of the interest of the United States in this property. The bill says that whatever interest the United States has shall be quitclaimed by this act and released in favor of said Catherine Maroney. I take it from that that the United States must have some interest necessary to be quitclaimed.

Mr. RUCKER of Colorado. That does not follow at all. The commissioners have found that this act on the face of it is to confirm the title to this claimant. It is not taking anything from the United States. It is to enable the owner to pass the property that has been in the possession and in the control and in the use of this party and beneficiaries and their ancestors for two generations. It is no use to make a bugbear of a matter of this sort. The gentleman knows very well that the United States has no title to this property, that if it had it would have been discovered. Many acts have been passed, and it is conceived by the legal adviser of the District of Columbia that there is no doubt about the title being in this woman at the present time, but he does not, nor does the Supreme Court of the United States, pass on this identical question.

Mr. BORLAND. Mr. Speaker, notwithstanding the gentleman's objection, the report contains a letter from the Commissioners of the District in which they say:

The commissioners, however, are advised by their legal officer that there is a very great doubt of the necessity for the legislation in view of the Statutes of 11 and 12 of William III, chapter 6, as construed by the Supreme Court of the United States in *McCreery's Lessee v. Comerville* (9 Wheat., 354); the act of Congress of March 2, 1897 (29 Stat., 619), made applicable to this District by an act of February 23, 1905 (33 Stat., L., 733); of the act of Congress of March 3, 1857 (24 Stat., 576); of the Maryland act of 1791 (Albert's Compilation, p. 46); and sections 396 and 960 of the Code of Law for the District of Columbia, all of which relate to the holding of an inheritance of land by or through aliens.

Now, if the woman has any valid claim under the statutes of the United States and under the decision of the Supreme Courts of the United States, she would not need this legislation. If this legislation is to convey to her a title which she is not able to establish at law, it seems to me Congress ought not to pass the bill.

Mr. JOHNSON of Kentucky. Mr. Speaker, I might say that if I am correctly informed there is no necessity for the passage of this bill except to meet the requirements of one corporation in the District of Columbia that seems to stand higher in the District than all the laws and all the courts themselves—the company that guarantees titles. In my judgment, the title to this property is clear in these people, but no matter how good a title may be in the District of Columbia, unless this guarantee title company accepts the title in so far as getting a loan the title is absolutely worthless. This bill is intended to meet the exactions of that title company and not the requirements of the law. [Applause.]

Mr. BORLAND. Mr. Speaker, I think the statement of the chairman is absolutely correct. There were two title guaranty companies in this District, and some years ago they amalgamated, or came under a common management, and now there is but one title guaranty company in the District. That company issues all the certificates of title; no abstracts are examined by lawyers in the District of Columbia, but they are required to get a certificate from this company, the only one in existence.

The only way in which that can be corrected with justice to the citizens of the District of Columbia, and with justice to the committee in Congress, is to put the registration of land titles in the District of Columbia under law and let that guaranty certificate be issued by the District of Columbia itself,

and not by a private corporation that is fattening upon the condition of land titles in the District of Columbia. [Applause.]

The SPEAKER. The Clerk will read the bill for amendment. The Clerk read the bill.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. LITTLEPAGE, for two days, on account of important business.

RIVER AND HARBOR APPROPRIATION BILL.

Mr. SPARKMAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 28180, the river and harbor appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the river and harbor appropriation bill, with Mr. MOORE of Tennessee in the chair.

The CHAIRMAN. The Clerk will read.

Mr. MOORE of Pennsylvania. Mr. Chairman, before the Clerk proceeds, I desire to offer the following amendment at the point where we left the bill on Saturday.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Add as a new paragraph, page 47, after line 2:

"Philadelphia, Pa., to connect the Delaware River with the back channel at the navy yard, with a view of securing a width and depth sufficient to accommodate the largest naval vessel afloat."

Mr. MOORE of Pennsylvania. Mr. Chairman, the purpose of this amendment is to direct attention to the very great necessity of a connection between the Delaware River and the back channel at the Philadelphia Navy Yard. The Government of the United States has a basin back of the navy yard, which is sufficient to accommodate the entire battleship fleet. An agitation is on for a dry dock, which is to extend from the Delaware River to the back channel, a distance of 1,700 feet. There is some question whether that can be accomplished through the Committee on Naval Affairs, which I understand has not favorably reported upon the project. Whatever is done here necessarily involves dredging, and as the business of the Government is involved, and this connection between the Delaware River and the back channel is necessary in order that the vessels of the Navy may swiftly and easily move, it seems proper to introduce at this time this provision for a survey that will give us an estimate of the cost of construction of a connecting link between the Delaware River and the back channel.

Mr. HUMPHREYS of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. Certainly.

Mr. HUMPHREYS of Mississippi. Mr. Chairman, did I understand the gentleman to say that the Committee on Naval Affairs had not reported this or had refused to report this?

Mr. MOORE of Pennsylvania. I understand the Committee on Naval Affairs, which has not yet presented its report for printing, is not favorable to the project.

Mr. HUMPHREYS of Mississippi. It is clearly a naval affair.

Mr. MOORE of Pennsylvania. Not necessarily. That channel should be cut through for the benefit of commerce as well as for the Navy. The Navy essentially is to protect commerce.

Mr. HUMPHREYS of Mississippi. Oh, yes; I understand that.

Mr. MOORE of Pennsylvania. And this would be incident to the proper movement of commerce, both in time of peace and in time of war.

Mr. HUMPHREYS of Mississippi. Let me ask the gentleman another question for information. This dry dock that the gentleman speaks of, if completed, will go from the Delaware River back?

Mr. MOORE of Pennsylvania. Unquestionably.

Mr. HUMPHREYS of Mississippi. And if that were constructed, then there would be no necessity for any other channel.

Mr. MOORE of Pennsylvania. First, we must have the channel. I want to say to the gentleman that there is very little opposition to this project on the part of Members of Congress who have already been upon the ground. A short time ago the city of Philadelphia made an appropriation for the purpose of having an inspection made of this particular project, and some 57 Congressmen, Members of this House and of the other body, went from Washington to Philadelphia to look it over, and as

a result there were some speeches and a good many promises in regard to what ought to be and what would be done.

Mr. TRIBBLE. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. TRIBBLE. Mr. Chairman, I would ask the gentleman if he did not state in the hearings before the Naval Affairs Committee that that dry dock was absolutely impracticable; that to place that dry dock there as was proposed would put it in a hole, and you could not get out on either side.

Mr. MOORE of Pennsylvania. Oh, no; the gentleman is entirely in error, and I will repeat to the gentleman the statement I did make to the Committee on Naval Affairs.

Mr. TRIBBLE. Let us have that.

Mr. MOORE of Pennsylvania. It is this: That the bill introduced to obtain a 40-foot depth for this dry dock would be building a hole in the ground that would be absolutely unnecessary, and would practically kill the meritorious part of the project. In other words, with a depth of river channel of only 30 feet, a little less than that on the inside, it would be the height of folly to dig a hole 40 feet deep when there was no necessity for it, and I said to the committee that it was my belief that some one inserted the 35-foot proposition in the Chesapeake & Delaware Canal project with a view of killing that project, and when we get back to it I want to say something about that. If the gentleman will agree with me, if he is one of those who went to Philadelphia—

Mr. TRIBBLE. I was there.

Mr. MOORE of Pennsylvania. That there was the most remarkable unanimity of sentiment upon this proposition, and everybody, especially some of the leaders of this House, were entirely favorable to granting us this little bit of consideration at the Philadelphia Navy Yard.

Mr. TRIBBLE. Now, the gentleman is asking for a channel to carry the largest boats of the Navy—

Mr. MOORE of Pennsylvania. Yes.

Mr. TRIBBLE. Is not it true the Delaware River will not convey these boats up to this point? Does the gentleman want dredging at Philadelphia—

Mr. MOORE of Pennsylvania. That positively is not true; this river is dredged to-day to 30 feet and capable of accommodating the largest naval ships built, and—

Mr. TRIBBLE. You have not a sufficient depth to carry all these vessels without dredging—

Mr. MOORE of Pennsylvania. It is to cut through from the Delaware and dig a channel to reach the storage basin, where these—

Mr. TRIBBLE. Does the gentleman approve of the dry dock which he condemns here on the floor of the House?

Mr. MOORE of Pennsylvania. I have not condemned the dry dock; I have approved of it; but I am asking the gentleman upon that side to make good their promises and give this matter consideration.

Mr. TRIBBLE. Did not the gentleman oppose it in the Naval Committee, and did not the gentleman state to the Naval Committee—

Mr. MOORE of Pennsylvania. I did not; most assuredly I did not. Now, I would like to ask the gentlemen who promised this dry dock to give it to us now; here is the opportunity.

The CHAIRMAN. The time of the gentleman has expired.

Mr. TRIBBLE. Mr. Chairman, I move to strike out the last word; I would like to ask the gentleman another question. Did not the gentleman use as an argument in the Naval Committee against that dry dock at Philadelphia that it is not a river of more than 28 feet of water?

Mr. MOORE of Pennsylvania. I did not use that argument.

Mr. TRIBBLE. Is not that the argument the gentleman made in the hearings before the Naval Committee?

Mr. MOORE of Pennsylvania. That argument is not in the hearings before the Committee on Naval Affairs, and if the gentleman wants to get a further answer to his question I think I can explain to him that some one asked me at what draft a vessel could get in that dry dock and I said 27 feet; but I say to the gentleman now we have got a 30-foot depth of the Delaware to Philadelphia, while the city of Baltimore has 35 feet and the city of New York has 40, and while the city of Boston is moving on from 35 to 40 feet, I am asking you gentlemen now, who are in control of Congress, with influential Representatives from Pennsylvania upon the Committee on Naval Affairs and the Committee on Rivers and Harbors, that you loosen your control and let the city of Philadelphia move on with the other cities along the Atlantic seaboard.

Mr. LEE of Pennsylvania. Will the gentleman yield?

Mr. MOORE of Pennsylvania. I will be glad to do so; this is my opportunity.

Mr. LEE of Pennsylvania. Is it the gentleman's purpose in offering this amendment to kill the dry-dock proposition?

Mr. MOORE of Pennsylvania. Not at all. I am wholly in favor of the dry dock, and if the gentleman will vote for it, as he did not vote for the survey for the Frankford Creek, as he did not vote for the survey of the Schuylkill River, as he did not vote for dredging out the shoals behind the breakwater, I will be very much obliged to him.

Mr. LEE of Pennsylvania. Is the gentleman for that dry dock or for a channel?

Mr. MOORE of Pennsylvania. I am for a dry dock, but I want the channel first, because it is necessary to dig it out before you get the dry dock.

Mr. GALLAGHER. I want to ask the gentleman a question. The gentleman speaks of the delegation—

Mr. MOORE of Pennsylvania. There were 57 Congressmen reported by the newspapers to have been there, and I did not report the fact.

Mr. GALLAGHER. Do you know whether any member of the Rivers and Harbors Committee made any promises on that occasion?

Mr. MOORE of Pennsylvania. I remember of one or two of the most distinguished gentlemen of this House being there and speaking—

Mr. GALLAGHER. I asked if there was any member of the Rivers and Harbors Committee there.

Mr. MOORE of Pennsylvania. I think they are very cautious. They have been so right along. That is my trouble.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. Moore].

Mr. MOORE of Pennsylvania. Division, Mr. Chairman. I would like to see how many votes we can get for this meritorious project of the dry dock at Philadelphia.

The committee proceeded to divide, and the Chair announced that the ayes were 4.

Mr. LEE of Pennsylvania. Mr. Chairman, a parliamentary inquiry. I would like to ask if the amendment is for the channel or dry dock.

The CHAIRMAN. The Clerk will again report the amendment.

The amendment was again read.

Mr. LEE of Pennsylvania. I wish to call the Chair's attention to the fact that the gentleman from Pennsylvania [Mr. Moore] made a statement that the amendment was for a dry dock.

The CHAIRMAN. The parliamentary inquiry has been answered by the reading of the Clerk. Those opposed to the amendment will rise and stand until counted.

The vote was announced as ayes 4 and noes 33.

So the amendment was rejected.

Mr. MOORE of Pennsylvania. Mr. Chairman, I make the point that there is no quorum present.

The CHAIRMAN. The Chair will count. [After counting.] One hundred and seven gentlemen are present—a quorum—and the Clerk will read.

The Clerk read as follows:

Big Annessex River, Md., with a view to providing a suitable channel from Clear Creek Point to Muddy Creek Point.

Mr. GARRETT. Mr. Chairman, I move to strike out the last word. I ask unanimous consent that the Resident Commissioner from the Philippine Islands [Mr. QUEZON] may have permission to address the House for five minutes.

The CHAIRMAN. The gentleman from Tennessee [Mr. GARRETT] asks unanimous consent that the Resident Commissioner of the Philippine Islands may have permission to address the House for five minutes. Is there objection?

There was no objection.

Mr. QUEZON. Mr. Chairman, to-day's morning papers publish a dispatch from Manila to the effect that on the 23d of January there was an engagement between the Moros on the one hand and the scouts and constabulary on the other, and in connection with this report it is stated that Aguinaldo and other Filipinos are engaged in political activities and preparing for a revolt. During the last two months, and immediately following the victory of the Democratic Party, reports of this character have been published almost daily throughout the United States, apparently with the purpose of defeating the Democratic proposition to give the Filipinos their independence, by impressing the American people with the fact that independence will be followed by a revolution in the islands.

THE TRUTH ABOUT THE MORO TROUBLE.

It is my desire to comment but little upon the engagement between the Moros and the scouts and the constabulary. Nobody need be alarmed about it. Those who are familiar with what is going on in Jolo and Mindanao will find nothing new

in this case. I know of no time when there was not an occasional outbreak among the Moros, except when they were under the wise and gentle hand of Gen. Wood, as governor of Mindanao. For the last two years there has been a regular warfare between the Moros and the American troops, due to an ill-considered policy of the official in charge of the Moros; but it was then to the interest of somebody to conceal this fact from the American people and no reports were therefore given out to the press about it. The explanation of this well-planned secrecy will, perhaps, be found in the following speeches delivered at Zamboanga two years ago before ex-Secretary of War Dickinson by two scarcely educated Moros:

First. "We have only a little to say, and that is that we are happy to be under the sovereignty of the Americans. There has been some talking about that the Filipinos want to tear themselves off from Americans, and that they want to tear us away too, thus tear us away with them. If the Americans should give the Moro country over to the Filipinos they would be responsible to God for the blood that would be shed, because it would be the same thing as if you put two fighting cocks into one bag, for there would be fighting sure."

Second. " * * * The Secretary of War must look the matter in the face. We are a different race; we have a different religion; we are Mohammedans, and if we should be given over to the Filipinos how much more would they treat us badly, when they have treated even the Spanish badly who were their own mothers and their own fathers in generation? How did they treat them? Think about it. Think twice. We far prefer to be in the hands of the Americans who are father and mother to us now than to be turned over to another people."

Of course, after wide circulation was given throughout the United States of these protestations of friendship and love, and they were printed even in the CONGRESSIONAL RECORD, the warfare that followed soon afterwards between the Moros and their American "fathers and mothers" could not be given out to the press, lest the report should convey to the American people an accurate idea of the terrific manner in which a Moro shows his friendship and love. [Laughter.]

But two years have gone by. The result desired at the time has been accomplished, to wit: To show the American people that the United States was a blessing to the Moros. It is now thought that any report of disturbance in the Philippine Islands will foster the policy of retaining the islanders under American control, especially if, in connection with it, it could be said that a general revolt is being contemplated by the Filipinos, and an insignificant clash between a group of Moros and a small detachment of scouts and constabulary is promptly given to the press. This same clash, if it had happened a year ago, would not have been published, or, if it had to be published at all, would have been reported as an engagement between "police officers" and "outlaws"; now it is said to be between "American troops" and "rebels."

The whole truth about the Moro situation is this: They have never been content under their present rulers; they will be better satisfied under a Philippine government; and, at the worst, they can be governed by the Filipinos in the same way that they are governed to-day.

FALSE DISPATCHES ABOUT AGUINALDO.

But, as I said before, I do not wish to discuss at present these Moro troubles. They are not as serious to-day as they were a year ago, when nothing was said about them. What I do wish to call to the attention of the House are the malicious and absolutely false dispatches printed in the newspapers of this country about Aguinaldo and other Filipinos being engaged in revolutionary preparations.

The following is what the morning papers say on this subject, after giving an account of the Moro outbreak:

Emilio Aguinaldo, the leader of the revolt against the United States after the Spanish-American War, and who has reentered politics, is reported to be taking an active part in revolutionary propaganda. There are many rumors that the Katipunian, a Filipino secret society, is renewing its activities against the Americans. Aguinaldo has been insistent in the conferences of the native chieftains that his sole purpose in renewing his activities has been to organize them to accomplish their independence.

AGUINALDO'S POSSIBLE MOTIVE.

It is possible that Aguinaldo's real motive for his activity comes from a fear that the Jones bill, providing for Filipino independence, may not be passed, and that he is scheming to forestall control of the expected discontent of the natives.

The foregoing dispatch reads very much like the one published in the New York Sun of January 24 from its Manila correspondent, which is as follows:

(Special cable dispatch to the Sun.)

MANILA, January 23.

Aguinaldo, the infamous leader of the revolt against Americans in the Philippines, has reentered politics while all the time protesting against being interrupted in his farm work. He has frequent conferences with Filipino revolutionary committees of chieftains ostensibly

for the purpose of organizing the militia preparatory to the accomplishment of independence of the islands. It is believed, however, that the real motive for the activity of Aguinaldo is an outgrowth of the fear that the Jones bill providing for Philippine independence may not be passed, and he is prompted by the desire to forestall control of the anticipated discontent among Filipinos because of the nonfulfillment of the promise of politicians.

Mr. Chairman, the statements contained in these dispatches are both false and slanderous. There are no Filipino revolutionary committees, and if there were, Aguinaldo would be the last man to connect himself with them. It is true that Aguinaldo attended the monster meeting held at Manila to celebrate Democratic victory in the United States, but so did thousands of other prominent Filipinos and some Americans. Of this meeting Justice Moreland, of the supreme court, said to me:

If the American people could have witnessed this great demonstration they would give you your independence to-morrow. It was a most impressive sight to witness such a great gathering so orderly that not even one policeman was necessary to preserve order.

Justices Carson and Trent both indorsed this view.

Gen. Aguinaldo was not one of the selected speakers, but he responded very briefly to the call made upon him for a speech. He spoke scarcely a minute, and what he said was this:

I am pleased to join you in celebrating the victory of the Democratic Party, which means to us that the day of our independence is approaching; but I wish to impress upon you that you must not depend too much upon outside influences to secure that independence. You must show the world by your actions that you are capable of governing yourselves.

WHO SENT THESE DISPATCHES.

These were almost his exact words, and yet for saying them he has been shamefully abused and misrepresented by an American correspondent of a New York newspaper, who has been guilty of conduct so outrageous that he has been driven out of office. This man is now revenging himself upon my people for exposing his conduct by sending such dispatches as these to America.

AGUINALDO'S DENIAL.

I have to-day received the following cablegram from Señor Osmeña, speaker of the Philippine Assembly, which I shall publish in the RECORD in this connection. It contains the indignant denial of Gen. Aguinaldo, who, whatever his enemies may say of him, has never been investigated for and found guilty of grafting:

MANILA, January 27, 1913.

QUEZON, Washington, D. C.:

The following from Aguinaldo: "Please deny very strongly the truth of the dispatches from Manila accusing me of political agitation preparatory to a revolt. On the contrary, I am trying to help preserve union among all elements to insure public order, which is necessary to the stability of a future Filipino government, because I am confident, and the people are also confident, that the Jones bill will be passed. I say this in spite of the possible machinations of the enemies of Philippine independence, who are said to be trying to brew all sorts of disturbances and to employ all means to prevent the passing of said bill."

OSMEÑA.

THE FILIPINO PEOPLE WILL NOT REVOLT AGAINST THE UNITED STATES.

Now, Mr. Chairman, I want to say right here to the American people that the Filipinos are not preparing for revolt. They have faith in the sense of justice of the American people, and they expect to get from the generosity of the American people their freedom and independence. They will never fight the United States [applause], and much less will they fight the United States after the Democratic Party has come into power [applause], the party that is solemnly pledged to give the Philippine Islands independence. In spite of the fact that it is occasionally said that your political platforms mean nothing—

The CHAIRMAN. The time of the gentleman from the Philippine Islands has expired.

Mr. BORLAND. Mr. Chairman, I ask that the gentleman have five minutes more.

The CHAIRMAN. The gentleman from Missouri [Mr. BORLAND] asks unanimous consent that the gentleman from the Philippine Islands have five minutes more. Is there objection? There was no objection.

THE FILIPINO PEOPLE BELIEVE THE DEMOCRATIC PARTY WILL GRANT THEM INDEPENDENCE.

Mr. QUEZON. In spite of the fact, I say, that we are being told that your party platforms mean nothing, we have a different conception of the great political parties of the United States. We believe that those parties stand by what they say to their people and to our people. We can not believe that your national platforms are meaningless. We believe that they are the official and responsible statements to the American people and to the world of what the party that is coming into power is going to do. [Applause.] Is it conceivable that under these conditions, believing as we do most implicitly in the promises and pledges of the Democratic Party, that my people will take up arms against the United States? What possible reason could there be for such an unnatural and suicidal course? Can any sensible American, whether he believes the Filipinos capable of self-government or not, credit these untruthful and inspired

reports? Unfortunately we have learned from the saddest of experiences what armed opposition to the power of the United States means. It has cost us hundreds of thousands of lives, drenched our fair land with blood, and destroyed millions of dollars worth of property. We have, I say again, learned from a hard experience what it means to oppose with arms the forces of America.

Mr. SHERWOOD. Mr. Chairman, if the gentleman will permit, how many lives have been lost in the Philippine Islands?

Mr. QUEZON. Well, according to a newspaper report attributed to Gen. Bell, the present commanding general of the Philippines, in the island of Luzon alone 600,000 men, women, and children were killed during the war or died as a result thereof.

Mr. DIES. Mr. Chairman, will the gentleman yield for a question?

The CHAIRMAN. Does the gentleman yield?

Mr. QUEZON. Yes.

Mr. DIES. You understand, of course, that in killing your people we did it for their good? [Laughter.]

Mr. QUEZON. Mr. Chairman, I do not care to speak of these harrowing incidents except for the purpose of convincing the House, if that be necessary, that it is impossible for us to again think of such a thing as engaging in an armed conflict with American troops, even if there were some reason for revolting against the United States, because we know too well what the result would be; such being the case, how any sane person could conceive of us revolting when there is no reason to-day for so doing—and I hope that there will never be any reason for so doing, because the administration shortly to come into power in the United States is pledged to grant the Philippines independence. I hope that if the Filipinos ever go to war they will go to war in support of the United States and not against the United States. [Applause.]

And it is very easy to accomplish this. It is very easy to make every Filipino ready to die for the American flag, if you will only heed their cry and give them what they are asking for and longing for—their independence. [Applause.]

If this is done, and the time should ever come when you should have a war in the Far East, gentlemen, you will find every man, woman, and child in my country fighting for you and for your flag. [Applause.]

[Mr. QUEZON, by unanimous consent, was given leave to revise and extend his remarks in the RECORD.]

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Coan River, Va., with a view to deepening and widening the channel at and near its main entrance.

Mr. CALLAWAY. Mr. Chairman, I move to strike out the paragraph.

The CHAIRMAN. The gentleman from Texas [Mr. CALLAWAY] moves to strike out the paragraph.

Mr. CALLAWAY. Mr. Chairman, on Saturday, in discussing this bill, I referred to some examinations that I had been connected with the making of, and based a statement on that that I had no confidence in the engineers' reports after the committee cited me to these volumes of the engineers' reports for information on that subject. In that statement I made reference to some statements made before the Committee on Insular Affairs with reference to Benguet Road. This morning I got a letter from Col. McIntyre correcting some statements that I had made with reference to the Benguet Road. It was my impression that the Army engineers made the estimate on that road, estimating that it would cost \$75,000 when in fact it cost over \$2,000,000. They inform me that it was not an Army engineer who made that estimate and report, but that it was an ordinary civilian; that the Army engineers went ahead and carried out the work.

There is one further thing to which I wish to call the attention of the committee. On Saturday I made the statement that the road was 10 or 12 miles long. This letter from the Army engineer tells me that it is 30 miles long. I want to cite the hearings on that question. When Mr. QUEZON was testifying before the Committee on Insular Affairs he made the statement that it was 10 or 12 miles long. I read from the record of the Committee hearing, February, 1912:

Mr. HELM. How long is the road?

Mr. QUEZON. The Benguet Road is about 10 or 12 miles—the colonel will be able to tell you.

The CHAIRMAN. How far is it from Camp 1 to Baguio?

Mr. QUEZON. I think that is about 10 or 12 miles.

Mr. HELM. Is that where the \$2,000,000 was spent?

Mr. QUEZON. Pretty nearly.

Mr. LITTLEPAGE. Is there any tunneling on the road?

Mr. QUEZON. No, sir.

Col. McIntyre was at that time sitting at the table, and Gen. Edwards was in the room, and they made no contrary statement. This letter states that the road was about 30 miles long.

I based my statement that it was 10 or 12 miles long on the fact that the statements which I have read were made before the Insular Affairs Committee in the presence not only of Col. McIntyre, but of Gen. Edwards.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CALLAWAY. I ask unanimous consent to proceed for five minutes.

Mr. SPARKMAN. I will not object now, but I give notice that I shall object to any further extension, because this is entirely irrelevant to this bill.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. CALLAWAY. Mr. Chairman, the relevancy of this will appear before I conclude. I call attention to another report of engineers on which this House acted, expending \$540,000 in Arizona on the Pima Indian Reservation, on the Gila River. The expenditure was made on a Government engineer's report in the Indian service.

Mr. HUMPHREYS of Mississippi. These appropriations were not reported through the River and Harbor Committee, were they?

Mr. CALLAWAY. No; but I am talking about engineers generally. There was an investigating committee went down to examine this project last summer. The Indian Bureau knew that; they made a report before the Indian Affairs Committee, on which they asked the Indian Affairs Committee to appropriate \$20,000 for the maintenance and operation of that project. On December 2 they stated as follows before that committee:

The number of Indians on the reservation is 4,246; the land now irrigated on the reservation, 12,000 acres.

There is not an acre irrigated by these wells of which they are speaking and asking for this \$20,000 to maintain and operate.

Land to be supplied with pumped water, 12,000 acres.

And the Indians under that project refused to accept that water. They told the Government before it ever started that expenditure that they would not accept it; that it would kill the land; and they never have accepted it, and this Government has no power to make them accept it. But notwithstanding the facts, notwithstanding their knowledge that this committee made this investigation last summer, they had the unbridled effrontery to ask an additional appropriation of \$20,000.

Mr. HUMPHREYS of Mississippi. Who was that engineer?

Mr. CALLAWAY. This comes from the Indian Bureau and the Reclamation Service. Mr. W. H. Code was the original engineer.

Mr. HUMPHREYS of Mississippi. A United States Army engineer?

Mr. CALLAWAY. No, other kind of engineers. They all look alike to me.

Now, I was cited by this committee—and that is what I want to get down to—to the engineers' report, to which they look for information and guidance in appropriating \$40,000,000 of the public money. Their bill cites this little pamphlet, containing 262 pages, and I am going to read the back of it:

A letter from the Secretary of War, transmitting a letter from the Chief of Engineers' reports of the survey of the Boston (Mass.)-Beaufort (N. C.) section of the proposed inland waterway, from Boston, Mass., to the Rio Grande River.

On this end of the project from Norfolk, Va., to Beaufort Inlet, N. C., which is about 100 miles, they say it will cost ultimately \$5,400,000.

Now, Mr. Chairman, I have stated to the committee these things to show them what the estimates of the engineers working for the Government are worth when it comes to final work. The estimate on this canal from Norfolk, Va., to Beaufort Inlet, N. C., is \$5,400,000. That is the initial step in this intercoastal canal, running from Boston, Mass., to the Rio Grande, the ultimate cost of which God Almighty only knows.

In this bill, Mr. Chairman, there is this provision:

Provided, That no part of this amount shall be expended until the canal and appurtenant property belonging to the Chesapeake & Albemarle Canal Co. shall have been acquired by the United States by purchase in accordance with the agreement entered into between the Secretary of War and said company under date of February 17, 1912.

That is this pamphlet here, and they now appropriate \$800,000—this initial step in a waterway, the end of which no man born of woman can see. This is the point I make to this House and to the people of the United States, that a chain is no stronger than its weakest link. This proposition is as rotten, from the standard of statesmanship or profit, so far as the American people is concerned, as anything that was ever devised by the mind of man. This proposition is the substructure on which the whole bill stands, and is the standard by which it should be measured. In this bill we are asked to appropriate

\$800,000 as the initial step in this intercoastal waterway for this particular segment, which is only 100 miles long, and, according to the engineer's estimate, will cost to complete \$5,400,000. This is a 100-mile segment of an intercoastal canal 2,500 miles long.

The Clerk read as follows:

Inland waterway from Norfolk, Va., to Beaufort Inlet, N. C., with a view to determining whether there should be any change in that part of the route from Alligator River southwardly to Neuse River from that heretofore recommended in House Document No. 391, Sixty-second Congress, second session, and heretofore adopted, and whether it would be desirable to extend the route from Alligator River to Pungo River, thence to Goose Creek, thence from the head of Goose Creek to Jones Bay, and thence to Neuse River, or whether any modification of said part of the route is desirable.

Mr. CALLAWAY. Mr. Chairman, I move to strike out the paragraph. Now, Mr. Chairman, I have been cited by the chairman of this committee to 4,000 pages of stuff that he says if I am patriotic enough and energetic enough to search through I can find the reason why this committee has brought in this bill.

I have not been able to search these 4,000 pages of stuff, but I have looked at these engineers' reports, Mr. Chairman, and I do not find that these engineers give any estimate of what the present waterways carry, or what the increased tonnage will be if there is a change as proposed in this bill, nor what the difference in freight charges for such carriage will be if the changes are made as proposed in this bill.

There is not a man that has got any business sense, from Kalamazoo to kingdom come, whose estimate of a project is worth a cent unless the estimate shows what it will be when constructed, what it will cost in construction, what the maintenance charges are to be, and what the income will be from the project when completed. That is enough to beat any project. But there is another question that ought to enter in here, and that is what particular section will this benefit—whether the whole people of the United States are to be benefited by it. There is no effort to show on the part of these engineers what any of these projects will be worth to the country at large and what the difference in tonnage carried will be. They do not even state the mileage in many instances.

Mr. Chairman, I have never thought anything better of the Republicans, I have never hoped for anything better of them, and I do not think this country at large has expected anything better of them; but we as Democrats came in here on an economy platform and the reduction of expenditures. Here is a bill that increases the expenditures for rivers and harbors almost 50 per cent. The bill carries \$40,000,000. The committee in its reports says that is \$14,000,000 more than last year. That does not look to me like Democratic economy. Then they come in here on the reports of the same engineers that furnished the data to the Republicans, on which they based their expenditures from year to year. This Democratic House is led by the same bunch of heads of departments and engineers under their charge that the Republicans were led by, that led them to the slaughter of 1910 and into the ignominious defeat of 1912; and if the Democratic Party follows this pork-barrel system the Republicans followed, led by the engineers who are interested in feathering their own nests and furthering their own interests, then the Democratic Party will come to the same bad end that the Republican Party came to.

Mr. DAVIDSON. Mr. Chairman, will the gentleman yield?

Mr. CALLAWAY. Yes.

Mr. DAVIDSON. Is the gentleman opposed to the item in the bill which he is discussing, namely, an inland waterway from Boston to the Rio Grande?

Mr. CALLAWAY. Mr. Chairman, I am opposed to every item in this bill except the items to keep in preservation the projects we now have. Everybody in this country but Congressmen in this House knows that the waterways have played out; that transportation has quit going by the water route; that the railways are carrying the freights. This committee had the charge flung in their faces on Saturday that every ton of freight that the Mississippi carried last year cost this Government \$30.

Mr. DAVIDSON. Is the gentleman in favor, then, of discontinuing that portion of this inland waterway which extends from Sabine to the Rio Grande?

Mr. CALLAWAY. Yes. I am opposed to every segment of this intercoastal waterway.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. TRIBBLE. Mr. Chairman, I move to strike out the last word. I have before me the hearings of the Naval Committee, and I want to do the gentleman from Pennsylvania [Mr. Moore] absolute fairness and justice. The question under discussion before the Naval Committee at the time to which I refer was the 23-foot channel, and it was not contradicted that

the Delaware River did not have over 28 feet. Here is the testimony of the gentleman from Pennsylvania [Mr. Moore]:

The CHAIRMAN. I understood that you have a mean low water of 30 feet.

Mr. MOORE. We have a rise in the tide there of 7 feet.

It will be noticed that there is a rise in the tide there. Continuing:

Our mean low water now exists—

But he did not say how much. He takes a very mild position on that—

It is legislatively now 30 feet, and it is substantially—

Substantially. He does not assert that it is 30 feet—substantially 30 feet all the way up for 60 miles.

Here is the particular issue that came before the Naval Affairs Committee, and is up before the House here to-day. I read from the hearings the exact language of the gentleman:

There is probably not more than 20 or 25 feet of depth, and in the upper end it was shown that they did not have 30 feet, so that the cutting of a canal to 35 feet seems an absurdity—

Mr. MOORE of Pennsylvania. To what does that refer?

Mr. TRIBBLE. I am reading what the gentleman from Pennsylvania said.

Mr. MOORE of Pennsylvania. Does that refer to the Delaware River or to the back channel?

Mr. TRIBBLE. Wait until I get through.

Mr. SPARKMAN. Mr. Chairman, I insist that the gentleman confine his remarks to the pending amendment.

The CHAIRMAN. The gentleman from Florida makes the point of order that the gentleman from Georgia is not confining his remarks either to the amendment, to the amendment to the amendment, or to the paragraph. The point of order is sustained. The question is on the amendment of the gentleman from Pennsylvania, to strike out the paragraph.

Mr. HEFLIN. Mr. Chairman, I ask unanimous consent that the gentleman from Georgia [Mr. TRIBBLE] be permitted to read what he was stating to the House regarding the hearings in which the gentleman from Pennsylvania [Mr. Moore] was involved, subject matter that has been discussed by the gentleman from Pennsylvania upon this floor.

Mr. MOORE of Pennsylvania. Mr. Chairman, reserving the right to object, the gentleman should read into the Record exactly what is in that statement and not take it by piecemeal, because I stand on that statement.

Mr. HEFLIN. I hope the time will be granted to my colleague.

Mr. TRIBBLE. I only want about three minutes.

The CHAIRMAN. Is there objection?

Mr. MOORE of Pennsylvania. Mr. Chairman, if the gentleman will publish the entire statement I will not object, but if he is not going to publish the entire statement, I will.

Mr. TRIBBLE. I will read every word in it—one-fourth of a page of the hearings.

The CHAIRMAN. The Chair hears no objection.

Mr. TRIBBLE (reading)—

* * * We would have a hole in the ground, which would mean that if you ever built a vessel in there drawing 35 feet it could not get out and would simply have to pass between Chesapeake Bay and Delaware Bay and stay there * * *

That is exactly what I said here.

Mr. MOORE of Pennsylvania. That is absolutely correct.

Mr. TRIBBLE (reading)—

* * * The difficulty with the bill of Mr. LEE, which contemplates opening up the entire enterprise at once, is that if you make the depth and width of this 1,700 feet to correspond with the depth and width of the Panama Canal you will dig a hole in the ground between the Delaware River and the Schuylkill River out of which you can not get at all. It would seem to be—

Mr. DONOHUE (interposing). Any vessel that got in should certainly be able to get out.

Mr. MOORE. That is true; but I do not understand the necessity of digging 10 feet below the river depths.

Mr. DONOHUE. The further deepening of the Delaware River is certainly in contemplation.

Mr. MOORE. Yes, sir; we are trying to get 35 feet.

Mr. DONOHUE. We do not know what depth we may have to go in the future; it will be limited only by the size of the ships?

Mr. MOORE. That is true.

Mr. DONOHUE. Mr. LEE's bill proposes to construct the dry dock corresponding with the depth of locks of the Panama Canal, which will limit the width and depth of ships in the future; and so if we build it properly now we will not have to rebuild it in the future?

Mr. MOORE. That argument would go if you could get up the Delaware River and out the Back Basin.

Mr. DONOHUE. It would do no harm?

Mr. MOORE. No, sir; it would do no harm; but there are 60 miles of channel that do not now exceed 30 feet, and therefore you would simply be digging a 40-foot hole 1,700 feet long to connect two bodies of water not more than 30 feet deep.

Mr. DONOHUE. That would have to be taken up in the future if we did not get it deep enough now.

* * *

Mr. BUTLER. What size vessels can go up there?

Mr. MCCREARY. The mean depth is about 29 feet.

Mr. MOORE. Any war vessel the Government has can go up there.

Mr. BUTLER. I mean can it go up there?

Mr. MOORE. Yes, sir.

The CHAIRMAN. I understood that you have at mean low water 30 feet?

Mr. MOORE. We have a rise in the tide there of 7 feet. Our mean low water now exceeds 28 feet. It is legislatively 30 feet and is substantially 30 feet all the way up the 60 miles.

Mr. GREGG. What is the length of the dry dock you have there?

Mr. MOORE. About 750 feet—to be exact, 744.64 over all. The *Utah*, built across the river by the New York Shipbuilding Co., is one of the very largest vessels the Government has thus far built. She is one of the new *Dreadnoughts*, and she has been in the dock.

* * * The question is the construction of a new dry dock. We have a dry dock at Philadelphia about 750 feet long. It is not the biggest dry dock in the United States, but it is an excellent dry dock. It was capable of housing the dreadnought *Utah* and did it very well, but there is some difference of opinion as to the possible capacity in the matter of the entrance at the caisson for the admission of such vessels as may be constructed in the near future.

Mr. MOORE of Pennsylvania. Mr. Chairman, I would like to call the attention of the Chair to the fact that the gentleman is not reading the statement in full, as the gentleman agreed to do, but he is reading page by page and skipping as he goes along. If the gentleman will consent that I have just five minutes to answer him after he is through, he can make as many extracts as he pleases.

Mr. TRIBBLE. That is all, Mr. Chairman.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent that he may proceed for five minutes. Is there objection?

Mr. TRIBBLE. Mr. Chairman, reserving the right to object, I shall ask for five minutes to show the gentleman's position before the Committee on Naval Affairs. He is asking for an 800-foot dry dock. He has a 750-foot dry dock there now. He seeks another 800 feet. Mr. LEE is pressing his bill for 1,700—

Mr. HUMPHREYS of Mississippi. Mr. Chairman, for the benefit of the gentleman from Georgia, I will state I am not going to object to the request of the gentleman from Pennsylvania; consent has been granted on this side. Now the gentleman from Georgia asks for five minutes on this side. I shall object then to any further discussion.

Mr. EDWARDS. Mr. Chairman, reserving the right to object, I think it is come to a time now that we should close up this bill. It has been pending for several days. I dislike to be discourteous to anyone, but I am on this committee, and we are tired of this matter, and therefore I demand the regular order, and I object.

The CHAIRMAN. The regular order is demanded. The regular order is the motion of the gentleman from Texas.

The question was taken, and the motion was rejected.

The Clerk read as follows:

Beaufort Harbor, N. C., with a view to providing a suitable turning basin and anchorage area in front of the town or Beaufort.

Mr. CALLAWAY. Mr. Chairman, I move to strike out the last paragraph. The gentleman from Wisconsin [Mr. DAVIDSON] asked me awhile ago if I was not in favor of the digging of an intercoastal canal along that southern coast of Texas.

Mr. SPARKMAN. Mr. Chairman, I make the point of order the gentleman is not discussing his amendment.

The CHAIRMAN. The point of order is well taken. The gentleman can proceed in order.

Mr. MANN. How much time does the gentleman want on this subject?

Mr. CALLAWAY. Oh, I just want a few minutes, 5 minutes or 10 minutes.

Mr. MANN. The gentleman has been—

Mr. CALLAWAY. I will yield. I desire to conform to the rules of the House; I do not want to ask any favors.

Mr. MANN. It is not a matter of favor. Let us arrange, if we can—

Mr. SPARKMAN. Mr. Chairman, unless I am mistaken, we will reach the point after a little while, when we will return to certain pages and lines passed over, and where the discussion that the gentleman is going through with now will, perhaps, be in order.

Mr. CALLAWAY. Mr. Chairman, here is the item from Norfolk, Va., to Beaufort, N. C. I was talking about an intercoastal waterway that runs to Beaufort, N. C., from Norfolk, Va. This is the initial project and part of the same system designed to run finally around to the Gulf of Mexico and the Rio Grande River, providing this Nation lives long enough and the United States Treasury holds out. I was asked by the gentleman from Wisconsin [Mr. DAVIDSON] about that part of it running along the southern coast of Texas.

If I were a pork-barrel politician, here to get my hands into the Treasury, I would favor that section along the coast of Texas and submit to the whole project, Mr. Chairman, not

because it would help the people of the State of Texas, not because the people of Texas would generally get any due return on the money expended, but because the money would be spent in Galveston, Houston, and Beaumont; because they would employ men to work who would spend the money at the saloons, grocery stores, and dry-goods establishments, and ride on the railways and the street cars, buy electric lights, and so forth. If this money was taken out of the Federal Treasury and given out in equal amounts to the individuals of Texas, Texas would be more benefited than burdened, but the whole people of the United States would not. That is the reason, if I was a pork-barrel politician, I would favor the Gulf coast section. That is the way the Republicans did. We opposed that system. We came in saying we were going to economize public expenditures, but we invited the same heads of departments to make recommendations and the same engineers to give reports, and went on doling out appropriations in the same way the Republicans had been doling them out. You ask me how much of this I am against. I see here, on the second page of this voluminous report of two pages, that the maintenance items total \$2,222,650. The Democrats ought to appropriate that; evidently what we have is worth maintaining, but we ought not to expend one cent more unless it is conclusively shown to be a good business investment, such as an individual would make for himself.

Mr. HUMPHREYS of Mississippi. Does the gentleman believe that on this subject we ought to follow the Democratic platform's declarations?

Mr. CALLAWAY. Yes; I believe we ought to follow the Democratic platform's declarations honestly and wisely—

The CHAIRMAN. The time of the gentleman has expired. The question is on the amendment of the gentleman from Texas to strike out the paragraph.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

Clearwater Harbor and Little Pass, Fla., with a view to securing a channel with suitable depth and width from the Gulf of Mexico to a point at or near the town of Clearwater.

Mr. SPARKMAN. Mr. Chairman, I wish to offer an amendment.

The CHAIRMAN. The gentleman from Florida offers an amendment, which the Clerk will report.

The Clerk read as follows:

On page 40, line 17, strike out the word "Little" and insert in lieu thereof the word "Big."

The CHAIRMAN. Does the gentleman from Florida desire to address the committee?

Mr. SPARKMAN. I do not.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Florida.

The amendment was agreed to.

Mr. CALLAWAY. If we have reached the clear water on the Gulf of Mexico, line 19, page 49, I vote to strike out the paragraph.

Mr. HUMPHREYS of Mississippi. We have reached it. Now is the time.

Mr. CALLAWAY. Mr. Chairman, what I want to call the committee's attention to is what seems to be a part of this same canal proposition.

Mr. SPARKMAN. It has nothing to do with the interoceanic waterway or any part of the interoceanic waterway.

Mr. CALLAWAY. I can not understand how a harbor would reach clear water if you would not have to go inland in order to reach clear water, and this interoceanic waterway is the only proposition in this bill that would reach clear water, I believe.

Mr. SPARKMAN. I say it kindly, but it only demonstrates the fact that the gentleman is totally unacquainted with the subject he is trying to discuss. I hope he will pardon the statement, because I say it in all kindness.

Mr. CALLAWAY. You have my pardon.

Mr. SPARKMAN. If the gentleman from Texas will take the time to read, not the 4,000 pages that he refers to there, but that smaller document that he has before him there, the title of which he called our attention to a while ago, he will find that the interoceanic waterway does not touch Clearwater Harbor at all; that starting in somewhere about Boston and going down the coast—

Mr. CALLAWAY. Mr. Chairman, I want to know if the gentleman is speaking in my time or in his.

Mr. SPARKMAN. I was trying to inform the gentleman, assuming that he wants information.

The CHAIRMAN. Does the gentleman yield?

Mr. CALLAWAY. I will state, Mr. Chairman, that I read this thing, which is the report of the Army Engineers on the interoceanic waterway project, and that is the thing that made me mad. [Laughter.] That is the thing that has made me

lose confidence in the judgment of the committee. That is the thing that has made me question every item in this bill. That is the thing that has put me "on the warpath," and I propose to stay on it as long as this committee brings into the House such propositions as this and asks that the public money be expended on such unheard-of propositions.

Mr. SPARKMAN. Mr. Chairman, will the gentleman yield? The CHAIRMAN. Does the gentleman from Texas yield to the gentleman from Florida?

Mr. CALLAWAY. Yes.

Mr. SPARKMAN. Has the gentleman read everything in that report?

Mr. CALLAWAY. Yes; I have read everything in that report. I put in Saturday night and all day Sunday, Sunday night, and Monday morning reading it.

Mr. SPARKMAN. Then, if the gentleman has read everything in that report, I can not account for his anger except on the theory that the engineers have turned down so much of the project, because they have actually reported adversely everything in it except a very few links in the chain.

Mr. CALLAWAY. They have advised a project that runs along the coast from Boston to the Rio Grande River.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield?

Mr. CALLAWAY. I do.

Mr. MOORE of Pennsylvania. What is the title of the document the gentleman refers to?

Mr. CALLAWAY. "Tidal Waterway from Boston, Mass., to Beaufort, S. C."

Mr. MOORE of Pennsylvania. That is it.

Mr. CALLAWAY. "Letter from the Secretary of the Treasury, transmitting a report of the Engineers on the proposed inland waterway running from Boston, Mass., to the Rio Grande River."

Mr. MOORE of Pennsylvania. That is sufficient. Will the gentleman yield further?

Mr. CALLAWAY. Yes.

Mr. MOORE of Pennsylvania. I know something about this interoceanic waterway, having gone from one end of it along the Atlantic coast to the other, and I wish to say that I wish the gentleman would differentiate the Atlantic from the Gulf project; that he will disassociate the project from Boston to Beaufort from the project that runs through the State of Florida, along the Gulf of Mexico, and into the State of Texas. That is an entirely different project.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. MOORE of Texas. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended five minutes.

The CHAIRMAN. Is there objection?

Mr. EDWARDS. I object, Mr. Chairman. We must finish this bill.

Mr. MOORE of Pennsylvania. I am sorry for the gentleman from Texas. I think he should have more time.

Mr. CALLAWAY. Never mind; I will jump on the next paragraph. [Laughter.]

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Texas [Mr. CALLAWAY].

The amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Harbor at Tampa, Fla., with a view to securing increased depth and width in the channel from the Gulf of Mexico through Tampa and Hillsboro Bays to the head of the estuary in the city of Tampa.

Mr. CALLAWAY. Mr. Chairman, I move to strike out the paragraph.

The CHAIRMAN. The gentleman from Texas [Mr. CALLAWAY] moves to strike out the paragraph.

Mr. CALLAWAY. Now I will yield to the gentleman from Pennsylvania [Mr. Moore].

Mr. MOORE of Pennsylvania. Mr. Chairman, I was about to say that it is fair for the gentleman from Texas [Mr. CALLAWAY] to criticize the interoceanic waterway if he does not approve the project, but he should differentiate the project as reported on by the engineers, running from Massachusetts to Beaufort, N. C., from this project which the committee has reported. The interoceanic waterway, so called, mentioned in this report has nothing whatever to do with the project that runs across the State of Florida and into the Gulf of Mexico.

Mr. MANN. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. MANN. I understood the gentleman from Texas to say that the reading of the report of the interoceanic waterway from Boston to Beaufort somewhat excited his ire. Does the gentle-

man think he will be able to read the report at all on the project from Beaufort to the Rio Grande, which the gentleman from Pennsylvania intimates is a great deal worse? [Laughter.]

Mr. MOORE of Pennsylvania. Will the gentleman yield for one statement there? Bear in mind that the engineers have reported only upon the section which is described in the report which the gentleman has in his hand. There has been no report yet on the project below Beaufort, nor in Florida, nor along the Gulf of Mexico, so far as I am informed.

Mr. CALLAWAY. In answer to the gentleman's statement I will say that I read this report, which reports on a segment of that canal which they recommend, based on the proposition that ultimately the canal is to be dug from Boston, Mass., to the Rio Grande. That is what I am talking about. That is the only way this report can be considered. You can not consider this matter in segments. It is not made by the engineers for consideration in segments. This segment is reported on by the engineers with the view ultimately of building it from Boston, Mass., to the Rio Grande, and no sensible man can consider it any other way than as a whole canal.

Now, I am wise enough to know that they are going to pick the best segments first, and when they get a segment here and a segment there and a segment yonder that are the least expensive and the most plausible for a beginning they will insist that these segments must be joined in order to make the project complete and valuable. I am wise enough to know another thing, that the people of this country are wise enough to know—that is the way you will do it. If you were wise, you would stop this thing here at its initial point—not begin it. The people of this country will hold you responsible, and they ought to do it. The people understand this pork-barrel business, and it is a matter of ridicule all over the country, except at places where the money is spent.

The money goes to the saloons, groceries, and dry goods houses from the contractors and people who do the work. They are interested in it. They do not care what becomes of the Government or how they burden the people. The question with them is to feather their own nests and further their own interests. And these engineers are the same way. Why, I have a cousin by marriage who is an engineer working in this river and harbor business, and I saw his wife last winter. They are good people. I love them. The man is smart and educated. Something came up about rivers and harbors, and his wife said she hoped I would vote for the biggest appropriation that is offered for rivers and harbors, because "that will help our job."

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. CALLAWAY. I would like two minutes more. If you will extend my time two minutes, I will give you a rest and go to lunch.

Mr. MANN. I ask unanimous consent that the gentleman have five minutes more.

There was no objection.

Mr. CALLAWAY. The remark made by that man's wife was natural and human. This House ought to know these engineers are interested not only in furthering their own interests and holding their own jobs and raising their salaries, but they are interested in getting particular friends of theirs into places all along the line. That is human and natural, and the commercial spirit has been cultivated until every man holding a job under the Government looks at the improving of it as a business; he thinks about it as a business, not from the standpoint of the welfare of the whole people or the country.

Then we base our bills on engineers' reports. This report says they did not do all that the engineers asked them to do; that the engineers reported on 170 different projects, and the committee have only taken 60 out of the 170, and that they only recommended 79 for them to look into for another year, and that was all. Where, in heaven's name, is the matter going to stop?

A statement was made on the floor of the House Saturday, which I presume is true—I have not heard a member of the Rivers and Harbors Committee deny it—that every ton of freight floated on the Mississippi River last year cost the Government \$30. I will say further that I have not heard any member of the Rivers and Harbors Committee give one single reason that looked either statesmanlike, sound financially, or sensible for the passage of this bill. I have heard no Member deny what the gentleman said—that every ton of freight that went on the Mississippi River cost the people of this country \$30. Is that true? That is the greatest inland waterway of the country; that is the biggest river in the whole business. He said not only that, but that the Mississippi River did not carry one-half the tonnage now that it carried 20 years ago. That shows that your work on the Mississippi River "to improve

commerce and navigation" has not added to the tonnage. It shows that river and canal commerce is doomed. The railways have superseded them.

The CHAIRMAN. The time of the gentleman has expired, and the question is on the amendment offered by the gentleman from Texas.

The question was taken, and the amendment was rejected.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. FINLEY having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed without amendment joint resolution of the following title:

H. J. Res. 380. Joint resolution authorizing the granting of permits to the Committee on Inauguration of the President-elect on March 4, 1913, etc.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House of Representatives to the bill (S. 6380) to incorporate the American Hospital of Paris.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 26680) making appropriations for legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1914, and for other purposes, disagreed to by the House of Representatives; had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon; and had appointed Mr. WARREN, Mr. WETMORE, and Mr. FOSTER as the conferees on the part of the Senate.

The message also announced that the Senate had passed the following resolution, in which the concurrence of the House of Representatives was requested:

Senate concurrent resolution 33.

Resolved by the Senate (the House of Representatives concurring), That there shall be printed and bound in cloth, with accompanying maps, 4,000 copies of the Report Upon Panama Canal Traffic and Tolls, prepared for the President by Emory R. Johnson, special commissioner on traffic and tolls; that the copies here ordered shall be printed from plates recently prepared for the Isthmian Canal Commission and now in the possession of the Government Printing Office, and that of the copies printed 1,000 shall be for the use of the Senate, 2,000 for the use of the House of Representatives, and 1,000 for the use of the Committee on Inter-oceanic Canals of the Senate.

RIVER AND HARBOR APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

Ochlockonee and Crooked River, Fla.

Mr. SPARKMAN. Mr. Chairman, I offer the following committee amendment.

The Clerk read as follows:

On page 50, between lines 1 and 2, insert the following: "Crooked Channel, Fla."

The amendment was agreed to.

The Clerk read as follows:

Mobile Harbor and bar, Alabama, with a view to securing such additional depth and width of channel as the interests of commerce may require.

Mr. CULLOP. Mr. Chairman, I move to strike out the last word. I want to ask the chairman of the committee a question for information. Who controls the piers or wharfrage in Mobile Harbor? Are they controlled by the railroad companies or by the city of Mobile?

Mr. SPARKMAN. I am not fully advised on that subject, but I will say to the gentleman that I am under the impression that the railroad companies do not control them. They may own their own dock facilities; very likely they do. I am not advised as to that.

Mr. CULLOP. I would like to ask another question in that connection, and that is, While the Engineers are ascertaining the desirability of these improvements and the probable cost, would it not be well to ascertain also who owns the piers and wharfrage of Mobile?

Mr. SPARKMAN. I will say to the gentleman that I think that a very pertinent inquiry. In the river and harbor bill of last year there was carried a provision authorizing an examination and such inquiries as will bring that information. We have not the reports in yet, but when they come in I dare say we will have full information on all those subjects.

Mr. CULLOP. Now, Mr. Chairman, while we are considering this matter and making large appropriations for improvement of harbors, I think it would be well to know whether we are appropriating and expending this money to build up the railroad properties of the country or whether we are expending it for the purpose of improving waterways belonging to all the people.

Mr. EDWARDS. Will the gentleman yield?

Mr. CULLOP. Yes.

Mr. EDWARDS. That proposition was carried in the bill of last year. The engineers, under the directions in that bill, are getting up the very data that the gentleman is now referring to.

Mr. CULLOP. I understand, Mr. Chairman, in the testimony taken in the hearings before a number of committees, very large volumes of it, that nearly the entire wharfage or piers in every great harbor in this country is monopolized as terminal facilities by the great railways of the country.

I want to ask the gentleman and Members of this House whether it is right to go into the pockets of the people and appropriate their money to build up the private property of these great corporations? It is undoubtedly a fact that in many of the harbors of this country the piers and landing places are so controlled by the great railways of the country that a ship not controlled by these companies can not land at a single pier. Does the gentleman from Florida believe that he in his official capacity is doing justice to the American taxpayer when he is going into their pockets and taking millions simply to improve the property of these great corporations who hold a monopoly in their terminal facilities along these great highways of commerce which belong to the people?

The docks at these great points of commerce should be preserved for the benefit of the public and not turned over to the control of private enterprise and then employed for the purpose or restricting commerce. This evil which I am calling attention to exists in many places as a public detriment and very injurious to the commerce of the country, and a speedy remedy should be furnished for it.

Mr. SPARKMAN. Mr. Chairman, I want to say to the gentleman that his remarks are timely and pertinent. At the same time the evil of which he complains has not gone, perhaps, to the extent he thinks it has. At all events we are taking steps to remedy it.

Mr. CULLOP. Will the gentleman permit a question?

Mr. SPARKMAN. As soon as I have finished. There is no doubt but that in some, yes, in many places in the country railroads have had control if not of the entire dock facilities, at least a large part of them. In some places they owned them, in others they controlled without owning them. But a few years ago the River and Harbor Committee began to make inquiries into the subject and we have set on foot investigations that will give us the information upon which we can legislate wisely on the subject and correct the evil.

Mr. CULLOP. Mr. Chairman, will the gentleman permit an interruption at that point?

Mr. SPARKMAN. Yes.

Mr. CULLOP. The testimony before the Committee on Interstate and Foreign Commerce in a number of instances has shown that at some of our greatest shipping points certain railroad terminals have obtained possession of the entire frontage of the waterway and simply control the landing and the handling of all the commerce at such places. I am informed that testimony of that character has recently been given—but is not yet published—before the Committee on Fisheries and Merchant Marine regarding this same harbor.

Mr. SPARKMAN. To which harbor does the gentleman refer?

Mr. CULLOP. To the one at Mobile. I am informed that testimony is not yet published, but that it has been given by witnesses who claim to have possession of the facts, and that they say that the terminal facilities of railroads practically control the piers and the wharfage in that city. I will say this, that if they do not do it in Mobile, then that city stands alone almost in that regard in this country. They have been wise and have built wisely in that respect, by obtaining possession and control of those facilities simply for the purpose dominating the commerce at such points. It has been very clearly demonstrated that in certain of our larger cities in the East these facilities are absolutely controlled by the railroad terminals.

Mr. SPARKMAN. Mr. Chairman, I want to say to the gentleman that he is largely correct, at least so far as quite a number of the harbors are concerned.

The CHAIRMAN. The time of the gentleman from Florida has expired.

Mr. CULLOP. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SPARKMAN. Mr. Chairman, I think this a very important question.

Mr. CULLOP. Mr. Chairman, the gentleman admits the importance of the question, and that we ought not to take the public money to improve the property of these corporations.

Mr. SPARKMAN. I fully agree with the gentleman in that.

Mr. CULLOP. There is no justification for it, he admits. Now, I will ask him if in certain harbors along the Atlantic coast where this is true any appropriations have been provided for in this bill to be expended for the improvement of them solely to advance the value of the private property of these corporations? If so, does not the gentleman believe that he ought to return to those items and have them eliminated from the bill?

Mr. SPARKMAN. Mr. Chairman, I am glad to answer that question, and I will answer it by saying that I know of no harbor for which we are making an appropriation in this bill the terminal facilities of which are entirely owned or controlled by railroads. I know of no harbor where they own any very considerable part of the terminal facilities, except at places where efforts are now being made, successful efforts, too, to correct the evil. Municipalities in many places are acquiring a sufficiency of dock facilities to control the situation. Let us take the city of Jacksonville, Fla., for instance. There railroads and private parties did gain control of nearly all the frontage on the river; but that city, seeing the need of municipally owned docks, has authorized the issue of bonds and will at great expense—nearly a million of dollars—provide sufficient dock facilities to take care of her rapidly growing commerce. Other cities are doing likewise. This is true at Philadelphia, as I understand; it is also true in New York, where they propose to spend many millions of dollars for similar purposes; and, as I said a moment ago, I know of no place for which we are making the appropriations in this bill where the wharfage property and other terminal facilities are entirely controlled by railroads. I think all harbors and rivers improved by the Government should be open to all on equal terms; and if we go ahead as we are going now the time is not far distant, I take it, when we will have reached a point where no appropriation will be made by Congress for the improvement of a river or for the development of a harbor unless ample dock and terminal facilities are provided for such harbor or river free and open to general commerce. [Applause.]

Mr. FOWLER. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 50, at the end of line 6, by adding the following: "Provided, That the report thereon shall disclose the ownership and control of the wharves, docks, and piers in said harbor."

Mr. FOWLER. Mr. Chairman, I feel, in view of the disclosures which have been made in reference to the ownership of these conveniences in this harbor, that it would be proper and just to the American people that the report on this project should disclose the ownership of the wharves, docks, and piers of this harbor. It has been said here, with some degree of earnestness and also with some degree of authority, that the railroads have a complete control of the approaches to these docks, wharves, and piers. If that be true, Mr. Chairman, I feel that it would be unwise for the Government to make great outlays in the way of expenditures of money for the purpose of improving private property for the benefit of private corporations. I trust, Mr. Chairman, in view of the statements which have been made by members of the committee upon this question, that this amendment will carry. I see no reason why it should not carry; I see no reason why this investigation should not disclose to the American people in its report who are the owners of these approaches for the purpose of commerce, and give to us the advantages of the information concerning the ownership of railroads of such private ownership. I do not know what the committee may think of it, but I see no reason why they should not agree to such an amendment. In fact, I say, Mr. Chairman—

Mr. EDWARDS. Will the gentleman yield for a question?

Mr. FOWLER. Certainly.

Mr. EDWARDS. Does not the gentleman know that the very provision which he seeks to put in by amendment is now the law?

Mr. FOWLER. Mr. Chairman, I know, to the contrary, that if there is a syllable of information in any report made by any investigation of any of these harbors disclosing the ownership and control of these approaches I have no knowledge of it; and I say to the gentleman who propounded that question that he can not make good his statement, making it clear that there is a report or any investigation made disclosing these facts.

Mr. TAYLOR of Alabama. Will the gentleman allow me to interrupt him?

Mr. FOWLER. Yes.

Mr. TAYLOR of Alabama. The gentleman is now offering an amendment in regard to Mobile Harbor?

Mr. FOWLER. Yes.

Mr. TAYLOR of Alabama. I say to the gentleman that the last report on Mobile Harbor, which I think is No. 967, in which this harbor was reported, gives the mileage and the ownership of every particle of wharfage there is in that situation. [Applause.] Now, I want to say further to the gentleman that if he will read he will find in the last river and harbor bill, and it now becomes the general law, that the engineers are required to make report as to the ownership of wharfage in a city when further improvements are sought to be made. I simply want to give the gentleman that information along the line of his present discussion.

Mr. FOWLER. Mr. Chairman, I have no doubt whatever the distinguished gentleman from Alabama is anxious to get at the information which I seek by this amendment, but I repeat that I have never seen a report from any of these investigating engineers disclosing the information which this amendment seeks.

The CHAIRMAN. The time of the gentleman has expired.

Mr. TAYLOR of Alabama. Mr. Chairman, so far as the harbor of Mobile is concerned full information was given to this Congress three years ago when the last project was adopted extending the depth of Mobile Harbor to 27 feet, in House Document 657, Sixty-first Congress, second session. Information was given as to the wharves in that locality. Since that time, within the last two or three years—

Mr. FOWLER. Will the gentleman yield for a question?

Mr. TAYLOR of Alabama. I think I will answer the gentleman's question as I proceed, but I will be glad to answer it now.

Mr. FOWLER. Does that report disclose that the railroads have any interest in wharves, piers, and docks, in the harbor of Mobile?

Mr. TAYLOR of Alabama. That report discloses that the Mobile & Ohio, Southern, Louisville & Nashville, and Mobile, Jackson & Kansas City Railroads have considerable terminal facilities in Mobile.

Mr. FOWLER. Does it disclose it has an interest in all the docks and piers of that harbor?

Mr. TAYLOR of Alabama. On the contrary, it discloses it has the interests not only of docking and wharfage, which has not yet been made into important—

Mr. FOWLER. Is it not a fact that this railroad has almost the exclusive right in that harbor to the approach of the piers, docks, and wharves?

Mr. TAYLOR of Alabama. I do not think it is almost an exclusive right. It has at the present time, I think, the largest single wharf frontage. If the gentleman will allow me to give him the information on the subject, I will be glad to do so.

Mr. FOWLER. Is there not complaint now of the crowding out of others in that harbor, and that they can not get there to discharge the duties which devolve upon them now, because of the fact of this railroad's ownership of piers and docks in that harbor?

Mr. TAYLOR of Alabama. Is that question stated as fully as you desire to put it?

Mr. FOWLER. For the present.

Mr. TAYLOR of Alabama. My answer to that is that the Turner-Hartwell Dock Co. owns a splendid dock, with the latest modern improvements upon it, and which is a very large and comprehensive one. That dock is on the wharf front in Mobile, but it happens to be along the line of the Louisville & Nashville Railroad and not along the line of the Mobile & Ohio Railroad. The latter railroad and the Louisville & Nashville Railroad do not discharge their freight at the same places in the city of Mobile, nor do they discharge their freight from the same terminal.

Mr. FOWLER. Does not this—

Mr. TAYLOR of Alabama. Let me answer it.

Mr. FOWLER. I thought you had answered it fully.

Mr. TAYLOR of Alabama. I have not. The Turner-Hartwell Dock Co. claim the Mobile & Ohio Railroad ought to absorb certain switching charges on freight that is shipped to them and directed to them on the way to Europe and elsewhere. The Mobile & Ohio Railroad Co. contend they ought not to be called upon to absorb the switching charges. That question has been before the Interstate Commerce Commission for two years or more—the question between the Turner-Hartwell Dock Co. and the Mobile & Ohio Railroad Co.

Mr. FOWLER. Does not this Mobile & Ohio Railroad Co. control that great frontage there of easy approach to that harbor?

Mr. TAYLOR of Alabama. A part of it.

Mr. FOWLER. And the greatest part to the deep channel?

Mr. TAYLOR of Alabama. I do not think it does control the greatest part.

Mr. FOWLER. I have been so informed, and that is the object of my amendment.

The CHAIRMAN. The time of the gentleman from Alabama [Mr. TAYLOR] has expired.

Mr. FOWLER. Mr. Chairman, I move an extension of his time for five minutes.

Mr. TAYLOR of Alabama. Mr. Chairman, I ask unanimous consent to proceed and clear this situation up, if I can, without interruption.

The CHAIRMAN. Is there objection to the request? [After a pause.] The Chair hears none. The gentleman from Alabama [Mr. TAYLOR] will proceed for five minutes.

Mr. TAYLOR of Alabama. The Turner-Hartwell Dock Co. is represented largely by Horace Turner, of Mobile, who is one of the most progressive men in the United States; certainly one of the most progressive men in Alabama and throughout the South. He wants—instead of what we have in Mobile now, 300-foot bottom width in our channel—a bottom width of 1,200 or 1,500 feet in our river channel. He will be greatly surprised to hear that the controversy between the Mobile & Ohio Railroad and the Turner-Hartwell Dock Co. could have impressed the mind of any man, far less a Member of Congress, with the view that he has interposed, or desires to interpose, or that there ought to be any interruption in the development and deepening of the channel at Mobile by the United States. Now, this call for another survey is pressed more vigorously by the Turner-Hartwell Dock Co., perhaps, and those who take their view of the situation, than probably any other business interests in Mobile. They are settling their controversy as well as they are able to do before the Interstate Commerce Commission. In addition to that the public of Mobile are now being very much agitated and are exceedingly interested, as am I and as is every citizen in the State of Alabama, in the development of a belt-line railroad similar to that in New Orleans. We do not know whether we can obtain it or not, but we are agitating the question now, and that is for the purpose of improving the dock facilities at the city of Mobile so as to keep pace with the growth of commerce and the development of our channel and harbor at Mobile.

I can not recollect the number of yards or the number of feet or the exact capacity of the different docks in Mobile, but I am quite safe in saying that I do not think the Mobile & Ohio Railroad owns a controlling interest in our wharf and frontage. The trouble between them, and the dispute between them, is not a question as to the amount of dockage or wharf frontage.

Mr. CRUMPACKER. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield?

Mr. TAYLOR of Alabama. Yes; I would be very glad to.

Mr. CRUMPACKER. Section 3, containing the legislative provisions in this bill, seems to cover this whole question?

Mr. TAYLOR of Alabama. Yes.

Mr. CRUMPACKER. It requires every report to contain information respecting both public and private terminals and transport facilities, and to report especially respecting the public docks and wharves; and if there be none, on their inadequacy. The report must contain the opinion of the local engineer respecting the number and the location. It seems to me this whole question is covered by section 3 on page 53 of the bill—is covered as the gentleman from Illinois [Mr. FOWLER] would require.

Mr. TAYLOR of Alabama. Yes; I stated that, and the gentleman from Illinois stated that it was not so. He disputed the fact.

Mr. CRUMPACKER. I think it is so.

Mr. FOWLER. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield?

Mr. TAYLOR of Alabama. Yes.

Mr. FOWLER. Does that law that the gentleman refers to, and to which the gentleman from Indiana [Mr. CRUMPACKER] has just referred, require that there shall be in the report on every one of these surveys of harbors a statement of the ownership of the wharves and the piers and the docks and the control thereof?

Mr. TAYLOR of Alabama. I think so, as nearly as the English language can make it.

Mr. FOWLER. I have never seen it.

Mr. TAYLOR of Alabama. Look at it, on page 53 of this bill, the particular bill that the gentleman has before him, or, if the gentleman desires, I will read it to him. The gentleman from Indiana [Mr. CRUMPACKER] has repeated an abstract of it to him.

Mr. FOWLER. Yes; but he has not repeated what this amendment calls for, and I do not think the gentleman from Alabama can.

Mr. TAYLOR of Alabama. I will only read what is here, and this is made to cover all authorities for surveys. But I

replied to the gentleman from Illinois as to this particular point in Mobile that such report had already been done in the last survey, as required by law.

Mr. FOWLER. If this amendment should carry, it would prevent the Mobile & Ohio Railroad from controlling commerce from that port to the Panama Canal, and the gentleman knows it.

Mr. TAYLOR of Alabama. No; I do not know it. I have nothing to do with the Mobile & Ohio Railroad, but I do not believe in legislation on a river and harbor bill to control a question of interstate and foreign commerce.

The CHAIRMAN. The time of the gentleman from Alabama has expired. The question is on the adoption of the amendment offered by the gentleman from Illinois [Mr. FOWLER].

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

Mr. MOORE of Pennsylvania. Mr. Chairman, the discussion between the gentleman from Georgia [Mr. TRIBBLE] and myself was left in a rather unsatisfactory condition, and in order not to take up the time of the House I ask unanimous consent that the full statement made by me as to the navy yard before the Committee on Naval Affairs be inserted in the RECORD.

The CHAIRMAN (Mr. HEFLIN). The gentleman from Pennsylvania [Mr. MOORE] asks unanimous consent to insert in the RECORD a statement concerning the controversy he had with the gentleman from Georgia [Mr. TRIBBLE] with reference to the hearing before the Committee on Naval Affairs. Is there objection?

There was no objection.

The statement is as follows:

NEW DRY DOCK AT PHILADELPHIA NAVY YARD.

Argument of Hon. J. HAMPTON MOORE, Member of Congress, before the House Committee on Naval Affairs.

Mr. Chairman and gentlemen of the committee, there has been a custom for several years, certainly since I have been in Congress, to come before the committee and present the claims of the Philadelphia Navy Yard. This year we are in a somewhat different position as a delegation in that we have two members of what was once the minority party, now the majority party in Congress, very closely associated with this work. Mr. DONOHUE, of Philadelphia, is a Democrat. We have not had the pleasure of having a Democrat with us for several years, and Mr. LEE, a member of the Democratic Party, is a member of this committee.

Mr. DONOHUE. Is it a pleasure?

Mr. MOORE. A very great pleasure [laughter], because it drives us all forward to do the best that is in us.

I think there is no division of sentiment in regard to what we would like to have done for the Philadelphia Navy Yard.

The CHAIRMAN. We never have any politics in this committee.

Mr. MOORE. I understand that this committee is a semi-judicial body and will treat us fairly without regard to our party relations. Mr. DONOHUE, of course, will speak for himself, but on behalf of Gen. Bingham, Mr. McCREARY, Mr. MOON, Mr. REYBURN, and the other members of the delegation I desire to ask the committee to be as considerate of the Philadelphia Navy Yard as possible, more particularly since this year there has been a cut in the estimates from \$160,000 to \$140,000. We ask that every one of the items presented in the estimates be approved in full. They consist of the sanitation system, reserve basin, to complete, \$45,000; Pier No. 5, to extend, \$85,000; and water-closets, \$10,000. A previous act provided an appropriation for Pier No. 5, but it was not sufficient to complete the work, and the work has not actually been begun, and the appropriation of \$85,000 is now absolutely necessary in order to enable the authorities at the yard to begin the work and to give the yard the benefit of that additional pier, which is badly needed.

Mr. GREGG. Were any of those items cut below the estimates?

Mr. MOORE. The amount appropriated last year was \$160,000, and the amount submitted by the department this year is \$140,000. In speaking of a cut I mean it was a cut from last year's appropriation.

Mr. GREGG. I thought maybe the department had cut out something.

Mr. MOORE. The department cut out a number of things, notably the extension of streets and avenues, which are highly important in a yard of that kind, where we have a great deal of vacant territory that ought to be made available for the purposes of the yard, and the department also cut out one or two of the recommendations made by the officials at the yard. They wanted to extend their electrical and steam power system so that it might be utilized on the vessels at the docks, and so that they might be prepared for permanent improvements over the yard on ground that is not now generally improved. The authorities very properly looked forward to the improvement of the yard on a permanent basis, and having much waste land they are hoping for the opening up of the streets and for the extension of their various sources of power. This is very important in a yard of this kind, because the expense of hauling is very great, and there are times, especially in a season like this, when the streets are heavy and the wagons and drays that carry the material in the yard are stuck in the mud.

In some respects the yard is not up to date in the matter of common ordinary transportation facilities. If it were possible to increase that appropriation in any one respect, we would like to have it done. The extension of the streets, pavements, water, and electric-railroad systems are estimated by the authorities of the yard at \$15,000.

Mr. TALBOT. Was not that all taken up with Admiral Hillyday?

Mr. LEE. Yes, sir.

Mr. MOORE. That was cut out by the department. Whether you propose to go beyond the department's recommendation or not I do not know. All we can do is to urge you to do the best you can with respect to the streets extensions and the construction of a crane for one of the buildings there—building No. 10. This is important at this time for the carriage of freight and materials.

Our main plea is that nothing less than has been submitted by the department be allowed for that yard, particularly inasmuch as we observe that in some of the other yards there have been increased ap-

propriations, notably at the city of Washington. In all fairness it must be stated that the department itself, following the lines of economy which this Congress seems to have sought to work out, and following the general tendency of the departmental administration in Washington, has cut down estimates for appropriations at other yards, so that we may not comparatively be suffering very much. But when we look at the appropriations running up to hundreds of thousands for other yards, we sometimes wonder why, in a general estimate from the department for a great yard like that at Philadelphia, we are left with a total estimated appropriation from the department of only \$140,000.

Now, so much for the general conditions at the yard. A question has arisen which is regarded as highly important by certain citizens of Philadelphia, and one that properly should be presented to this committee in a general way by the delegation. In this matter there is, perhaps, a friendly rivalry, particularly so far as the newspapers of Philadelphia are concerned, and it may be that members of the delegation have entered into a friendly rivalry upon this question, but as to the ultimate object there is no difference of opinion whatever. Some of us who have been in Congress for some time feel that a question of this magnitude ought to be approached with very great caution and that this committee ought to be thoroughly fortified with opinions and estimates from the department before it proceeds to go into a matter of so much consequence. The question is the construction of a new dry dock. We have a dry dock at Philadelphia about 750 feet long. It is not the biggest dry dock in the United States, but it is an excellent dry dock. It was capable of housing the Dreadnought *Utah* and did it very well, but there is some difference of opinion as to the possible capacity in the matter of the entrance at the caisson for the admission of such vessels as may be constructed in the near future.

Mr. GREGG. When Admiral Hillyday was before the committee Mr. LEE went very fully into that matter. Have you read the hearing?

Mr. MOORE. No, sir; but I have talked with Admiral Hillyday on the subject and I have been at the yard a number of times, and have talked with officers there. The question seems to be as to the capacity at the entrance. The officers at the yard, supported very largely by public sentiment in the vicinity of the yard and in the city of Philadelphia, and by some newspaper comment, which is more or less limited, have insisted that there should be constructed there a dry dock that would extend from the Delaware River into the back channel which leads in from the Schuylkill River and completes the island, a distance of 1,700 feet. Now, ordinarily this committee would be startled, perhaps, and Congress itself would be somewhat surprised at having a suggestion made that at any yard there should be constructed a dry dock 1,700 feet long. Nobody ever heard of a dry dock 1,700 feet long. There is certainly nothing of the kind anywhere in the known world, but in this particular instance the proponents of the 1,700-foot dry dock contend that by reason of the configuration of the ground and the peculiar adaptability of the situation to the construction of a dry dock that should be continuous and reach from stream to stream, that it ought to be started in the city of Philadelphia. We agree with that and we would be very glad to have this committee take up that question and have some start made upon the proposition.

Some day you will have to have one great dry dock on the Atlantic coast and another one on the Pacific coast to provide for the very largest battleships that may be constructed, although I am one of those who want to limit the size of battleships, as I want to limit the depth of the artificial channels which cost this Government so much money and accommodate only certain great battleships and commercial vessels. But if you have to consider some day the centralization of the dry-dock facilities, naturally there is no point along the Atlantic coast where such a dry dock would be offered more advantages than at the port of Philadelphia and at the League Island Navy Yard, where you have fresh water, a desideratum not found anywhere else in the United States nor in the world, so far as navy yards are concerned.

Now, then, while the proposition may be startling at first blush, the truth is there is an island which presents a peculiar opportunity for the construction of a continuous dry dock that will lead from the Delaware River into the back channel which leads from the Schuylkill River. The distance happens to be 1,700 feet, and that accounts for the peculiar figures that are presented.

Leaving aside all the agitation and the perturbation of mind of a few of our newspaper friends who insist that something should be done, and done immediately, let us see just what the committee can do and let us present our claims as a delegation, so far as I am able to speak for the delegation.

The officials—that is, the local officials, at least—would like to have that dry dock. They believe a start should be made on the work. We will agree that all the citizens of Philadelphia would like to have it done. We contend that it would be a great advantage to the United States in general, and particularly to the Navy Department, in having such facilities in case of emergency. How are we going to present it? As a result of this agitation, Mr. DONOHUE became quite interested and active, and Mr. LEE, a member of this committee, also did us the honor to come to our city and inspect the navy yard—he has been there several times, and he has done it interestingly, as a good Congressman ought to do—and they have concluded that some big work should be started. We have not been oblivious, those of us who have been longer in the service, to the desire of many people to have this dry dock started, but we were always confronted with the peculiar proposition of the 1,700 feet and the enormous cost and the difficulties that we would face when we came before the Naval Affairs Committee of Congress.

In consequence of this agitation and after much thought upon the subject I presented a bill in the House on December 21, 1911, authorizing an appropriation for a dry dock at the Philadelphia Navy Yard. It provided for the construction at that navy yard of a dry dock "sufficient to float the largest battleship of the Navy," and appropriated \$1,500,000. I was informed that a 1,700-foot dock would cost over \$4,000,000, and it seemed to me that it would be almost a killing proposition to come before this committee and ask for \$4,000,000.

Mr. BUTLER. What is the length of your proposed dry dock?

Mr. MOORE. I proposed to have a start and fixed the start at \$1,500,000, which would be sufficient to build a dry dock at least 800 feet long—as long as any existing dry dock in the United States—and this bill, which is one paragraph provided—

The CHAIRMAN (interposing). The dry docks we have been building at about that length have been costing something over \$2,000,000, if I remember.

Mr. MOORE. That makes the situation so much more difficult. I have had some experience with the building of dry docks. As receiver, I completed the dry dock at Boston and know what it cost. It cost about \$600,000 more than the contractor's price.

Mr. BUTLER. Did my colleague have in his mind the construction of a dry dock reaching from the Back Basin to the Delaware River, which, I think, is about 1,800 feet?

Mr. MOORE. One thousand seven hundred feet. This bill of mine contemplated meeting the situation in this way: If we could secure an appropriation of \$1,500,000 it was provided—

"That plans for said dry dock shall contemplate its extension from the Delaware River through to the Back Basin, approximately a distance of 1,700 feet, to the end."

This is the old river and harbor language where you begin something and do not complete it right away—

"to the end that said dry dock when completed shall be capable of admitting or discharging vessels at either end thereof."

That bill itself simply begins this enterprise. You can help us by a start of \$1,500,000, which will give us a dry dock, according to the estimates I have, 800 feet long, which will be on the line of the proposed 1,700-foot project and will end somewhere about halfway through, and this leaves us open to come back to this committee with a view to the extension all the way through.

Mr. BUTLER. To put the other end on?

Mr. MOORE. Yes, sir. That was the proposition I presented to the committee, and it struck me as the one most feasible in view of our financial condition and in view of this committee's attitude toward projects of this kind.

Mr. LOUD. Except for the pumping machinery, that would be equivalent to two docks?

Mr. MOORE. That would be one continuous, but it would be constructed half at a time. If Congress later on wanted to run it through, it could continue it, and this would accommodate vessels coming and going.

Following the introduction of that bill—

Mr. BUTLER (interposing). Did you have in your mind that it would afford a sort of waterway, too, between the channel and the ocean?

Mr. MOORE. I am an enthusiastic waterway man, and if I did not have that in mind—

Mr. BUTLER (interposing). I have seen some comment that this would afford a means of approach to the ocean which would save or spare vessels the travel of the distance around the end of the island.

Mr. MOORE. I can explain that.

Mr. BUTLER. I wish you would.

Mr. MOORE. I can explain what that means. The gentlemen who advanced that idea evidently hold the notion that it would save time and save the run around what we call the Horseshoe Bend in the river, which makes a curve way out toward the east. Coming up the Schuylkill through this back channel would avoid the Horseshoe Curve, which would save a mile or two.

Mr. DONOHUE. There is something else. You can work about the ships at the same time by the erection of the dry dock in the suggested bill introduced by Mr. LEE?

Mr. MOORE. I was coming to Mr. LEE's bill, and that very point. On January 12 Mr. LEE, of this committee, introduced a bill (H. R. 17760) authorizing an appropriation for a dry dock at the Philadelphia Navy Yard.

"A dry dock extending from the Delaware River to the Back Basin, approximately a length of 1,700 feet"—

He proposes to go right through—

"of depth and width corresponding with the locks of the Panama Canal."

That is to say, we should have at least 40 feet depth in this proposed new dry dock. Of course, that would mean—I do not want to discuss the bill while I am reading it—

"Of depth and width corresponding with the locks of the Panama Canal and capable of accommodating two of the largest battleships of the Navy, there be appropriated the sum of \$3,000,000: *Provided*, That said dry dock be so constructed with a middle gate or caisson that one or two vessels may be handled, as the occasion may require."

That is Mr. LEE's bill.

The CHAIRMAN. Just at that point may I suggest that in the case of the dry dock at Pearl Harbor, which, I think, is about 850 feet long, the limit of cost is \$2,700,000, and in the case of the dry dock at Puget Sound the limit of cost is \$2,800,000.

Mr. MOORE. That is over 800 feet?

The CHAIRMAN. A little over 800 feet.

Mr. MOORE. That is the largest dry dock in the United States to-day.

The CHAIRMAN. Now, with a 1,700-foot dry dock, what figures or information have you that such a dry dock would not reasonably cost something like \$5,000,000 instead of \$4,000,000, the figures given?

Mr. MOORE. Admiral Hollyday told me that a 1,700-foot dry dock, such as is proposed, would cost in excess of \$4,000,000.

The CHAIRMAN. But he did not say how much the excess would be?

Mr. MOORE. No, sir.

The CHAIRMAN. That is rather a large quantity.

Mr. MOORE. The question before you now is one as to whether there will be any recognition for this dry dock at all, which we all recommend, and second, whether you should start, as Mr. LEE proposes in his bill, to do the whole thing on the Panama Canal basis, or whether you should start in a more modest way, as I have proposed here, to establish a beginning which probably would prove the worth of the enterprise and then of continuing it if its worth is demonstrated.

There is one objection to Mr. LEE's measure that I can see, and that is the objection I had to the proposal to dig the Chesapeake and Delaware Canal a depth of 35 feet.

There are about 13 miles of that canal, and this situation would correspond to the one at League Island; and at the other end of the canal, the lower end, there is probably not more than 20 or 25 feet of depth, and in the upper end it was shown that they did not have 30 feet, so that cutting the canal to 35 feet seemed an absurdity. But the estimated cost had to be presented to Congress. I have always had the notion that somebody did this deliberately. The report was presented to Congress recommending connecting the Chesapeake and Delaware Bays, but if it should be dug for 13 miles between the Delaware and the Chesapeake 35 feet deep we would have a hole in the ground which would mean that if you ever built a vessel in there drawing 35 feet it could not get out and would simply have to pass between Chesapeake Bay and Delaware Bay and stay there. The difficulty with the bill of Mr. LEE, which contemplates opening up the entire enterprise at once, is that if you make the depth and width of this 1,700 feet to correspond with the depth and width of the Panama Canal you will dig a hole in the ground between the Delaware River and the Schuylkill River out of which you can not get at all. It would seem to be—

Mr. DONOHUE (interposing). Any vessel that got in should certainly be able to get out?

Mr. MOORE. That is true; but I do not understand the necessity of digging 10 feet below the river depths.

Mr. DONOHUE. The further deepening of the Delaware River is certainly in contemplation?

Mr. MOORE. Yes, sir; we are trying to get 35 feet.

Mr. DONOHUE. We do not know what depth we may have to go in the future; it will be limited only by the size of the ships?

Mr. MOORE. That is true.

Mr. DONOHUE. Mr. LEE's bill proposes to construct the dry dock corresponding with the depth of locks of the Panama Canal, which will limit the width and depth of ships in the future; and so if we build it properly now we will not have to rebuild it in the future?

Mr. MOORE. That argument would go if you could get up the Delaware River and out the Back Basin.

Mr. DONOHUE. It would do not harm?

Mr. MOORE. No, sir; it would do no harm; but there are 60 miles of channel that do not now exceed 30 feet, and therefore you would simply be digging a 40-foot hole 1,700 feet long to connect two bodies of water not more than 30 feet deep.

Mr. DONOHUE. That would have to be taken up in the future if we did not get it deep enough now.

Mr. MOORE. So far as the future is concerned, judging from my experience in this House in the past, I would say that we probably will not get 40 feet in the Delaware River for some time.

Mr. DONOHUE. But we hope for it?

Mr. MOORE. We certainly do. We are now striving to get 35 feet, and it will take at least six years.

Mr. DONOHUE. That is an item that can be amended?

Mr. MOORE. Certainly. If this committee will vote to adopt Mr. LEE's bill, I shall be delighted to see it done, because it will start us at once on the business; but I would suggest to the committee that that section be amended, because it would simply be unnecessary to dig below the approaches.

Now, Mr. Chairman, having commented upon these two measures and pointed out—

The CHAIRMAN (interposing). I would like to ask you a question. What is your idea of the naval necessity for a dry dock of that size at that place?

Mr. MOORE. Mr. Chairman, it would depend entirely upon the recognition given that navy yard by the Navy Department. If the department proposes to continue it even as a reserve basin, which we are informed it does, then it would be well to be prepared with another dock in addition to the one we have, larger than the one we have, to take care of vessels that come there, because it is the best repair station we have anywhere along the coast; it is the best material field, and it is the best labor field, and it is the best protected yard, because it is 100 miles away from the ocean and it is in fresh water.

The CHAIRMAN. Do you think in time of stress many vessels would go up there if the enemy were down at the mouth?

Mr. MOORE. That is a splendid question, Mr. Chairman. I would say that it would be the best place in the United States if our intra-coastal waterways were cut through to New York. They could come up the Delaware and get out of the way. That we hope some day will eventuate; but even as it is, the Chesapeake Bay being in danger and in a measure not so thoroughly well protected—

Mr. TALBOTT (interposing). The Chesapeake Bay?

Mr. MOORE. In some respects it is not so thoroughly well protected. I am as fond of it as any man, because it is one of the finest bodies of water in the country. It is not so well protected as it should be, and there is now a commission undertaking to devise ways and means to better shield it against the possibility of a foreign attack; but I take it that if there is going to be a serious invasion it will not be altogether where there is waste land, but where they can reach some of the skyscrapers and get some of the spoils of warfare, and I think they would strike a point like New York or Philadelphia very quickly, if they could. They could get into New York and into Boston, but they certainly would have difficulty in getting into Philadelphia as we are situated now.

Mr. BUTLER. On account of a point of order, how are you going to keep the dry dock in the bill?

Mr. GREGG. They are offering a separate bill.

Mr. BUTLER. I understand that.

Mr. MOORE. I will answer that question.

Mr. BUTLER. Do you request that this item be incorporated in the appropriation bill?

Mr. MOORE. Yes, sir; we hope so. As a matter of fairness to the people we ask that this project be incorporated in this bill, but I am coming to the point now raised by Mr. BUTLER. First you have Mr. LEE's general bill, which proposes to begin at once and make the entire appropriation, or, at least, make so large an appropriation that it would probably mean the immediate completion of the work. Then you have my bill, which proposes to make a start on a more moderate basis. Now, then, if you will take Mr. LEE's bill, with the amendments that have been suggested, I hope you will do it. If you find that you can not take Mr. LEE's bill, and will take my bill and incorporate it in your appropriation bill, I hope you will do that, but if you find that you can not do that—that both requests are unreasonable at this time or are beyond your means at this time—then give us a start of some kind; do what you can as to that.

We have not plans and specifications sufficient to properly inform this committee in regard to this project. Now, if you can't do anything else, will you do this: Will you provide in this bill an appropriation of \$100,000 to prepare plans and specifications, so that we may have something tangible to talk about when the next year's appropriation bill comes up? If you will not take Mr. LEE's bill, and I hope you will, and if you will not take my bill, and I hope you will, then give us \$100,000 to give us a start on the plans and specifications.

The CHAIRMAN. May I bring your attention to this fact: That the Government has an engineer corps under the Bureau of Yards and Docks, and that if they see fit they can submit plans and specifications without that appropriation?

Mr. MOORE. I presume they could do that.

Mr. BUTLER. We never have made a separate appropriation.

Mr. LEE. That is the business of the Government?

The CHAIRMAN. Yes, sir; if they see fit to recommend.

Mr. ROBERTS. I would like to call Mr. MOORE's attention to the fact that he has not told us yet how he is going to word the point of order.

Mr. MOORE. That this is new legislation?

Mr. ROBERTS. Yes, sir.

Mr. MOORE. Well, I admit that there is some difficulty about it.

If you feel that you can not put this item in the appropriation bill and that it would be ruled out on a point of order, then I ask that you pass a separate bill, let it come as a new matter, and I think that would be the safer thing to do. I have feared that we were asking too much at the start—I want to be very frank with the committee about it—I have feared that the committee would not take this

so seriously as some of the newspaper headlines in Philadelphia have made it; but we have felt there was nothing for us to do but to come here and ask the committee to help us out in this matter, satisfied in the last analysis if you can not give us Mr. LEE's bill as a separate proposition, or that you can not give us my bill as a separate proposition, you will at least give us a more moderate start.

Mr. LEE. You stated that it would cost between \$4,000,000 and \$5,000,000 to build a dry dock similar to the one covered in the bill I have introduced?

Mr. MOORE. In excess of \$4,000,000.

Mr. LEE. Does the gentleman not know that the properties at League Island would make this dry dock cost practically half what it would anywhere else in this country?

Mr. MOORE. It undoubtedly would cost less, because we would not have to acquire outside property.

Mr. LEE. Do you not know that the sand and gravel at League Island would practically cut down the cost of this dry dock one-half what it would cost any other place in America?

Mr. MOORE. Well, Mr. Lee, I do know that that would be a feature in the way of economy. It would be a saving to the Government.

Mr. LEE. I just wanted to call your attention to it.

Mr. MOORE. That should be considered; but there is no question but that it would cost in excess of \$4,000,000, independent of all that.

Mr. LEE. Is it not a fact that we do paving at League Island for half what it costs at any other navy yard?

Mr. MOORE. I can not tell.

Mr. LEE. On account of the properties at the navy yard. We have sand and gravel there to make all the concrete that would be used in building a dry dock of the kind my bill covers.

Mr. MOORE. We have certain decided advantages in the matter of raw material.

Mr. LEE. The dry dock can be built for \$3,000,000, and I claim that it will make it the cheapest dry dock which the Government owns. I went over this thing very carefully when I was there, and I am mechanic enough to know that we can mix all the concrete and get all the properties right there on the island so as to make that dry dock cost practically \$3,000,000 or less.

Mr. MOORE. I am very glad to hear you say so.

* * * * *

Mr. BUTLER. What size vessels can go up there?

Mr. MCCREARY. The mean depth is about 29 feet.

Mr. MOORE. Any war vessel the Government has can go up there.

Mr. BUTLER. I mean, can it go up there?

Mr. MOORE. Yes, sir.

The CHAIRMAN. I understood that you have at mean low water 30 feet?

Mr. MOORE. We have a rise in the tide there of 7 feet. Our mean low water now exceeds 28 feet. It is legislatively 30 feet and is substantially 30 feet all the way up the 60 miles.

Mr. GREGG. What is the length of the dry dock you have there?

Mr. MOORE. About 750 feet—to be exact, 744.64 over all. The *Utah*, built across the river by the New York Shipbuilding Co., is one on the very largest vessels the Government has thus far built. She is one of the new *Dreadnoughts*, and she has been in the dock.

Mr. LOUD. What is the width of the gate?

Mr. MOORE. At the top of the caisson it is slightly over 102 feet. It tapers off to 80 feet, or thereabouts.

* * * * *

The CHAIRMAN. How large is the dock at Norfolk, since it was enlarged last year?

Mr. MOORE. That would be a little larger than ours.

Mr. BUTLER. That is not yet completed?

The CHAIRMAN. Yes, sir; it is completed.

Mr. REYBURN. I think, gentlemen, we can present a reasonable case in Philadelphia—that we can show reasonable cause why Philadelphia should be selected as the point, the most strategic and advantageous point, for placing this dry dock and having our large naval base.

Mr. BUTLER. I would like to ask you a question or two. Can you recall how many acres there are in the navy yard?

Mr. REYBURN. I can not.

Mr. LEE. About 800.

Mr. MOORE. Over 900 acres; approximately 1,000.

Mr. BUTLER. They have parade grounds, rifle range, and the Government would not have to purchase any land?

Mr. MOORE. No, sir; they have plenty of land there.

Mr. LEE. Just at this particular point I would like to call Mr. Moore's attention to a few questions I asked Admiral Hollyday when he was before this committee, with regard to the cost at the League Island Navy Yard:

"Mr. LEE. You spoke yesterday of the low cost of paving in the Philadelphia Navy Yard. Is that due to the fact that the sand and everything is right there on the ground?"

"Admiral HOLLYDAY. Yes.

"Mr. LEE. Would not that same thing apply to the large dry dock if it was built in the Philadelphia Navy Yard?"

"Admiral HOLLYDAY. For making the concrete it would. The concrete would be made at less cost."

Mr. MOORE. Do not misunderstand me. I agree with that thoroughly.

Mr. LEE. I want to show that the gentleman was away off when he said that the dry dock would cost four or five million dollars at Philadelphia, when I know from experts who have made a study of the ground properties that a dry dock of the size I propose could be built for \$3,000,000 or less.

Mr. MOORE. I hope that is true.

Mr. LEE. On account of the properties.

Mr. MOORE. For that reason I am advocating your bill, with the limitations I suggested.

Mr. LEE. When the committee gets to Philadelphia, if they will accept the invitation which I extended before Mr. DONOHUE gave his invitation this morning, I propose to show them—

Mr. MOORE (interposing). I join in that invitation.

Mr. LEE (continuing). That the properties at League Island are just as I have stated them to be.

Mr. BUTLER. Mr. Lee, were you here when Admiral Hollyday stated that a dry dock 1,700 feet long would cost \$4,000,000?

Mr. LEE. Yes, sir. And then I showed that the cost of paving at League Island was \$1.52 and at any other navy yard it was \$3 per yard, and it was stated that the sand and mixture for concrete at League Island were the cause of the low cost of paving at that yard.

Mr. MOORE. Do you think that will make a million dollars difference?

Mr. LEE. Yes, sir.

Mr. MOORE. I want to thank you very much for the hearing this morning, Mr. Chairman and gentlemen, and assure you that we appreciate your courtesy.

Mr. DONOHUE. I desire to associate myself with that expression of thanks on behalf of the members of the delegation.

Mr. ROBERTS. I want to call Mr. Moore's attention to the fact that the Navy Department gives the controlling depth of water from League Island to the sea at mean low water as 28 feet.

The CHAIRMAN. But they have a 7-foot tide there.

Mr. MOORE. Answering the question, I desire to say that so far as the War Department is concerned the channel is legislatively completed at 30 feet for mean low water.

Mr. HENSLEY. What do you mean by "legislatively"?

Mr. MOORE. They have reported that we have 30 feet of water, so far as all legislation and engineering is concerned, for a length of 60 miles.

There are creeks and rivers running into the main channel which add to the silt formation. It is a slushy, soft sort of material, and men who navigate the ships differ as to the actual bottom depth; but it is a fact that we have more than 28 feet at mean low water, and we have what the Army engineers and shipping men consider an actual 30-foot mean low-water depth, including this silt. At this time we are working under the new appropriation on a 35-foot channel, and that work demonstrates that here and there may be a formation of silt which raises the bottom at certain points in this 60-mile length. Vessels drawing more than 28 feet can and do push their way through it, but they also take advantage of the tides. The problem is one of dredging and maintenance, and we are now trying to meet it. I think, perhaps, some member of the committee may have in mind the going ashore some years ago of the U. S. S. *Prairie*, which had started on a mission to South America and ran aground; but she was probably 1,800 feet out of her course. We have never charged that up to the Delaware Channel, but we have, rather, charged it up to navigation.

Thereupon the committee adjourned.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Canal leading from Centennial Lake at Vicksburg, Miss., to the Mississippi River, with a view to the preservation of the channel.

Mr. McKELLAR. Mr. Chairman, I have an amendment, which I send to the Clerk's desk.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Tennessee [Mr. McKELLAR].

The Clerk read as follows:

Amend, by adding the following, after line 9, page 50:

"Memphis Harbor: With a view to the preservation of the channel between President Island and the Tennessee shore and the preservation of the banks on the Tennessee side in Memphis Harbor; also for the preservation and protection of the channel and banks of the Wolf River in said harbor."

Mr. COLLIER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. COLLIER. I wish to offer an amendment to come right after line 9 on page 50, which is germane to the proposition in the bill. I would like to ask whether or not the amendment which I wish to offer should come first?

Mr. McKELLAR. Mr. Chairman, I am perfectly willing that the gentleman from Mississippi may offer his amendment first, and that mine may come in just after.

The CHAIRMAN. Without objection, it will be so ordered. The gentleman from Mississippi [Mr. COLLIER] is recognized.

Mr. COLLIER. Mr. Chairman, I offer the amendment which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Mississippi offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend, page 50, line 9, by adding after the word "channel" the words "and banks."

Mr. COLLIER. Mr. Chairman and gentlemen, prior to 1903 for many years all of the commerce coming down the Yazoo River and its tributaries to Vicksburg was carried through the mouth of the Yazoo River out into the Mississippi and then up Lake Centennial to the city of Vicksburg, but there was no continuous navigation because of a shifting bar at the mouth of the Yazoo River and also because there was low water at certain stages in front of the city of Vicksburg. It was finally determined, and in the river and harbor act of 1892 the project was adopted, to divert the Yazoo River a few miles above its mouth—about 6½ miles south—into the Mississippi River for the purpose of securing continuous navigation. This project was completed in 1905 at a cost of \$1,179,210.37. Uninterrupted navigation has been maintained at that point for nine years for boats of 6-feet draft at low water. The amount of commerce carried through the mouth of that canal amply justifies the expense of the project. The report of the Chief of Engineers shows that for the last seven years the amount of commerce has averaged between 220,000 and 440,000 tons, with estimated values of between \$6,000,000 and \$13,000,000. During the last seven years the average has been 230,000 tons and the value something over \$8,000,000. The reductions in freight rates have been as follows: On cotton about 50 per cent; on cotton seed about 33½ per cent; on live stock about 66½ per cent; on flour, meal, provisions, and grain from 33½ to 40 per cent.

On the banks at Vicksburg Harbor there has been a great deal of caving and sliding. A number of warehouses, the com-

press, and other buildings are situated upon this bank and some of them are now in a very exposed condition. In some cases the caving extends within a few feet of the buildings.

This recent caving has been caused by the deepening of the canal, owing to the fact that the entire Yazoo River is now going between these narrow banks, and also probably in a large degree by the fact that last year during the great overflow of the Mississippi Delta an immense volume of water from the crevasses in the levees passed through that canal.

The Rivers and Harbors Committee, realizing the importance of this matter and the seriousness of this situation, have incorporated in their bill a survey with a view to the preservation of the channel. I ask that this survey be extended to the preservation of the banks. That is all I ask, that it be extended right along on the banks of the canal.

The CHAIRMAN. The time of the gentleman has expired.

Mr. COLLIER. I ask unanimous consent for two minutes more.

The CHAIRMAN. Is there objection to the request for two minutes more?

There was no objection.

Mr. COLLIER. It can well be contended, in the interest of navigation, that the widening of the channel between the two banks in a narrow canal might, at certain seasons of the year and certain stages of the water, seriously interfere with permanent navigation.

Again, as I understand it, the purpose of this committee in considering projects is to secure navigation in order that commerce may be preserved. Harbors themselves are essential instrumentalities for commerce, and it may often occur that the preservation of a harbor means that commerce itself has been preserved.

Mr. Chairman, in this bill the committee have proposed a survey. It will not add much to the expense if the engineers extend this survey to the banks.

All I ask the House to give me is the authority of the engineers to investigate the situation and let them report or devise some means or some plan whereby a disastrous situation may be avoided.

Mr. MANN. Will the gentleman yield?

Mr. COLLIER. With pleasure.

Mr. MANN. How far does the gentleman think the Government ought to go for the preservation of the banks of a stream beyond what is necessary to preserve the channel for commerce?

Mr. COLLIER. That is far enough.

Mr. MANN. That is already covered. The item now provides "with a view to preserving the channel." Now, when you have done that, how much further does the gentleman think the Government ought to go in preserving the banks?

Mr. COLLIER. Does the gentleman from Illinois contend that the widening of a channel or the widening of the narrow banks of a canal might not essentially interfere with the navigation at low stages of water where permanent navigation is to be maintained?

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. MANN. I ask unanimous consent that the gentleman have two minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MANN. This item already covers the preservation of the channel, which I assume, of course, is for commerce. Now, when that is done, does not that take care of the banks sufficiently, or does the gentleman desire the Government to wall up the banks for the benefit of private owners?

Mr. COLLIER. As I stated in the first part of my remarks, I believe that the harbor itself is one of the essential instrumentalities of commerce, and the destruction of a harbor might mean the destruction of commerce.

Mr. MANN. Does the gentleman think it the duty of the Government, where it constructs a harbor, to wall up on the outside and construct in that way docks for the use of private property?

Mr. COLLIER. No, sir; the gentleman does not think so.

Mr. MANN. Beyond the preservation of the channel, how much does the gentleman want the Government to do in the preservation of the banks? I do not see the point of the gentleman's amendment.

Mr. COLLIER. I want the Government engineers to look at the situation where the canal is widened, where the banks are caving in, a canal that brings through every year over \$8,000,000 of commerce—I want them to look at it and the banks and devise some plan to relieve the situation. It may be that they can not devise any; it may be that under the rules of the engineer's office they can present no reports. I am asking for a chance for them to go there and do it.

Mr. MANN. And I am trying to help the gentleman out. As a matter of fact, under this provision will they not be required to look at the banks and everything that is connected with or affects the channel?

Mr. COLLIER. It may be that they would.

Mr. BURGESS. Mr. Chairman, I suggest that the amendment of the gentleman from Mississippi will not add anything to the authorization already in the bill. The item reads:

Canal leading from Centennial Lake at Vicksburg, Miss., to the Mississippi River, with a view to the preservation of the channel.

Now, there is often great contention before the committee about the extent of damage that is done by caving in of banks, but all that we can do is to give them a survey which covers navigation, and this does it. This amendment itself does not add anything to it. Besides that, this comes up in other cases. On page 51 there is an item, "Saugatuck Harbor, Mich., with a view of determining what additional works are necessary or desirable to maintain the channel of existing project." On the same theory that could be amended, and so on all through the bill. We have used the proper language that ought to be used in all these projects, and we are opposed to any amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Mississippi.

The question was taken; and on a division (demanded by Mr. COLLIER) there were—ayes 23, noes 37.

So the amendment was rejected.

Mr. McKELLAR. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amend by adding the following after line 9 on page 50: "Memphis Harbor, with a view to the preservation of the channel between President Island and the Tennessee shore, and the preservation of the banks on the Tennessee side in Memphis Harbor."

"Also for the preservation and perfection of the channel and banks of the Wolf River within said harbor."

Mr. McKELLAR. Mr. Chairman, on Saturday I offered an amendment to the bill seeking to have the Government aid in protecting the city of Memphis from flood waters which do not belong to her, but are the results of the building of levees on the river generally. In opposing this amendment my distinguished and delightful friend from Mississippi [Mr. HUMPHREYS] and a member of the committee, claimed I was simply for a private gas and water plant in Memphis and further says:

It is a spirit of unfairness, and it is an ungenerous spirit of the people of the city of Memphis, that sits on a high hill surrounded by these deltas from which it draws its trade and its prosperity, and for the upkeep of the levees which protect them she pays not one nickel in taxes. * * * In order to help the city of Memphis, where the assessed taxed value of property exceeds the assessed value of the property in all those deltas combined in order to help that city to protect her gas plant or water works.

Mr. Chairman, this is a very ungenerous and unfair statement. I am going to read from the report of the Mississippi River Commission, which shows how greatly mistaken our friend and neighbor from Mississippi is. There were 170 acres of our city overflowed in the last high waters, according to this report. In this overflowed district are situated dwellings, stores, churches, schools, railroads, street-car lines, jail, gas plant, manufacturing establishments, and a part of the city water supply plant. I further quote from the report:

The character of the pecuniary damages in this area is that due to the submergence of stores, dwellings, churches, schools, jail, etc., which was so extensive that the water reached well up into the first story of these buildings; that of the street-car lines resulting in a loss of revenue; of railroads necessitating the detour over other tracks; of the city gas plant and the discontinuance of the city gas supply; of the city pumping station; of many industrial manufacturing establishments' plants; and a part of the municipal water supply, including its contamination by surface-water sewage.

The estimate of the damages was fixed by the commission at over \$1,200,000.

Mr. Chairman, I think that shows that my friend from Mississippi was entirely in error about the facts which urged me to propose that amendment. Talk about being unfair and ungenerous. I think he is unfair and ungenerous on another proposition. While I ask for aid in protecting the city of Memphis from these flood waters, over which it has no control, and for which it has no responsibility, the little city of Greenville, from which my distinguished friend comes, just below us on this river, is year by year receiving large sums from the Government for just such protection as the city of Memphis now asks. But my friend says that we pay no taxes. I want to say to him that the city of Memphis pays more direct taxes to the Government than his entire State does. From the post office in the city of Memphis alone the Federal Government receives annually a net amount of over \$400,000, and from the internal revenue another large amount, making the city contribute more than half a million dollars of net income to the Government.

For the past 15 years the city of Memphis has not received any benefits for its harbor except, as I want to say to my distinguished friend from Indiana [Mr. CULLOR], who has just been discussing railroads and their relation to harbor improvements, such as were given by the Mississippi River Commission apparently for the purpose of aiding a railroad crossing there at that city. In this connection I quote as follows from the report of the Mississippi River Commission, 1908, volume 3, pages 2644 and 2645:

During the high water of 1907 the bank behind the Rock Island Railway incline began to cave very rapidly, and by the end of the high water a pocket about 875 by 200 feet had been eroded. This erosion did not extend below low water over a great portion of the pocket, and thus made the repair work very difficult, because the water was too shallow to permit satisfactory pocket mat work, and the wide flank bank exposed when the water was 6 feet on the Memphis gauge had to be paved with stone. This pocket was completely protected, and the high waters of the present season do not seem to have affected it materially.

There are a good many places along this revetment that need repair. These are practically all of them just above the low-water line, and can only be reached when the river is at a very low stage. It is proposed to repair these during the coming season if the stage of water permits.

And also:

The Rock Island Railway Co. has abandoned its incline in Wolf River and is now operating one on the main bank of the Mississippi, thus removing one of the chief reasons for dredging. No work is contemplated at this point during the coming year.

The work on either side of the river where the Rock Island Railroad Co. transfers its cars over the river seems to be the only work which has been done by the commission in the Memphis Harbor in many years. If there was any object other than aiding the railroad company in preserving its west terminus, it does not appear in this report.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. McKELLAR. Mr. Chairman, I ask that this amendment for a survey be adopted by the committee.

Mr. BURGESS. Mr. Chairman, I want to call the gentleman's attention to the fact that he is already given ample authority in the bill. If he will turn back to page 36 he will find the following provision:

Improving Mississippi River from Head of Passes to the mouth of the Ohio River, including salaries, clerical, office, traveling, and miscellaneous expenses of the Mississippi River Commission: Continuing improvement with a view to securing a permanent channel depth of 9 feet, \$6,000,000, which sum shall be expended under the direction of the Secretary of War in accordance with the plans, specifications, and recommendations of the Mississippi River Commission, as approved by the Chief of Engineers, for the general improvement of the river, for the building of levees between the Head of Passes and Cape Girardeau, Mo., and for surveys, including the survey from the Head of Passes to the headwaters of the river, in such manner as in their opinion shall best improve navigation and promote the interests of commerce at all stages of the river.

Mr. McKELLAR. Mr. Chairman, may I ask the gentleman, is it not a fact that that same provision has been in all these river and harbor bills for many years, and is it not a fact that no survey has been made of the Memphis Harbor during that time?

Mr. BURGESS. I do not know about that, but it is a fact that we make none in this bill. The gentleman is the first man who has offered an amendment here directly for a survey of the Mississippi River.

Mr. MANN. Mr. Chairman, will the gentleman from Texas yield for a question?

Mr. BURGESS. Yes.

Mr. MANN. Is it not also a fact that since this provision appeared in the river and harbor bills for many years there never has been a special provision for the survey of any harbor on the Mississippi between these points?

Mr. BURGESS. That is a fact. That is what I am telling the gentleman.

Mr. McKELLAR. Mr. Chairman, on line 7, page 50, is there not a provision for the canal leading from Centennial Lake at Vicksburg, Miss., to the Mississippi River, and is not that a part of the harbor?

Mr. BURGESS. Oh, no; that is a canal cut by the Government.

Mr. McKELLAR. This on the Wolf River, or a part of it?

Mr. HUMPHREYS of Mississippi. Mr. Chairman, I will state to the gentleman that that part of the Wolf River is under the jurisdiction of the Mississippi River Commission, and all funds that have been devoted to its improvement are taken from the funds carried for the Mississippi River Commission, but that is not the case with Centennial Lake Canal.

Mr. McKELLAR. It is connected with it just as the Wolf River is connected with the Mississippi.

Mr. HUMPHREYS of Mississippi. But this canal is not within the jurisdiction of the Mississippi River Commission, for the good and sufficient reason that the law has never put it under its jurisdiction.

Mr. McKELLAR. Is there anything that put the Wolf River under the Mississippi River Commission?

Mr. HUMPHREYS of Mississippi. Yes; it is one of the waters connected with it. I will state to the gentleman that when I was young in the service here I made a very desperate effort to have the \$25,000 that was called for for the Wolf River appropriated as a separate item, so that it would not come out of the Mississippi River Commission fund, but I was unsuccessful, because they said, "We will make a lump-sum appropriation for the Mississippi River, and all of you will take your chances."

Mr. McKELLAR. That is a chance I have not been able to get from the commission, and I want to get it at the hands of the House if I can.

The CHAIRMAN. The question is on the adoption of the amendment offered by the gentleman from Tennessee.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

Mouth of Brazos River up to Freeport, Tex., with a view to securing a depth of 25 feet.

Mr. BURGESS. Mr. Chairman, I desire to offer a committee amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 50, between lines 12 and 13, by inserting the following: "Channel at Seadrift, Tex., with a view of providing a suitable connection with the Texas coast waterway."

Mr. BURGESS. Mr. Chairman, I move the adoption of the amendment.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Little Calumet River, Ill. and Ind., from the junction up to Blue Island.

Mr. SPARKMAN. Mr. Chairman, I desire to offer a committee amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 51, between lines 21 and 22, insert the following: "Missouri River at Kansas City, Kans.: The provision of the river and harbor act approved July 25, 1912, authorizing preliminary examination and survey of the Missouri River from the mouth of the Kansas River to a point at or near the western limit of Kansas City, Kans., is hereby amended and reenacted so as to read as follows: 'Missouri River from the mouth of the Kansas River to a point at or near where the west line of Kansas City, Kans., extended intersects the Missouri River.'"

Mr. MANN. Mr. Chairman, I notice in that amendment and in several places in the bill it provides that certain provisions are hereby amended and reenacted. We have invariably in the House stricken out the provision "and reenacted." It is contrary to the statutes, to begin with, and is not required, because when you amend a proposition to read as follows that is all that is necessary. That is the practice, and I hope the gentleman will be willing to strike out the words "and reenacted."

Mr. SPARKMAN. I have no objection to that, and will so move.

The CHAIRMAN. Without objection, the amendment will be so modified. [After a pause.] The Chair hears no objection.

The question was taken, and the amendment as modified was agreed to.

The Clerk read as follows:

Stillaguamish River, Wash.

Mr. SPARKMAN. Mr. Chairman, I offer the following committee amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 52, between lines 13 and 14, insert the following: "Coeur d'Alene River, Idaho."

The question was taken, and the amendment was agreed to.

Mr. HAMILL. Mr. Chairman, I ask unanimous consent to recur to an earlier part of the bill in order to present an amendment, and I thought that this was the most opportune time in which to do it before we begin on section 3.

Mr. MANN. The gentleman knows there are several pages of the bill which have been passed over which will have to be recurred to.

Mr. HAMILL. I did not know that, and I withdraw the request for unanimous consent at this time.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. McKELLAR having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had disagreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3175) to regulate the immigration of aliens to and the residence of aliens in the United States, and had still further insisted upon its disagreement to

the amendment of the House, had asked a further conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. LODGE, Mr. DILLINGHAM, and Mr. PERCY as the conferees on the part of the Senate.

RIVER AND HARBOR APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

(a) The existence and establishment of both private and public terminal and transfer facilities contiguous to the navigable water proposed to be improved, and, if water terminals have been constructed, the general location, description, and use made of the same, with an opinion as to their adequacy and efficiency, whether private or public. If no public terminals have been constructed, or if they are inadequate in number, there shall be included in the report an opinion in general terms as to the necessity, number, and appropriate location of the same, and also the necessary relations of such proposed terminals to the development of commerce.

Mr. CULLOP. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman of the committee a question. I would like to have the attention of the chairman for a moment. Does not the gentleman think, in view of this provision in the bill, that there ought to be a limitation placed upon the appropriations in this bill with reference to the expenditure in these harbors where the docks and piers are owned by private corporations and controlled, withholding it until some remedy is made admitting free use of them? If the public expends the money to improve a property, the public should have the free use of the property. Now, I have just one instance in my mind. In regard to one of the Pacific steamship companies the testimony showed about a year ago before the Committee on Interstate and Foreign Commerce that they had to pay \$125,000 a year to one of the dock owners in New York for permission to land their ships, load and unload their cargoes, and that that had been going on for quite a while. Now, is it right to use the public money to improve property over which private dominion is exercised in that manner, making it an obstacle to the commerce of this country, and in view of that ought there not to be a limitation added to this bill withholding the expenditure for any improvement until there is a surrender of this private monopoly to public use? I ask the chairman of the committee for his idea upon that proposition.

Mr. SPARKMAN. I would say no. I do not think that an amendment like that or a provision like that should be inserted in this bill.

I will say to the gentleman and to the House that I have had that matter under consideration now for some little time, and, in order to get information upon which we could legislate intelligently, we inserted in the last river and harbor bill a provision which is like that which has just been read. The effort here is to reenact that provision for the purpose of making the provision general, it having applied by its terms only to the act of the last Congress. When we get all this information in, and not before, we will be in a position to legislate intelligently. Otherwise we might do a great injustice at some place if we went at it blindly. If we should insert a provision like that which the gentleman suggests, it would have to be a general provision applying to every harbor in the country, and in some of them injustice might be done. In fact, we might do injustice to all the harbors. But when we get this provision in and know just what we are doing, I for one propose to try to draft some provision, some law, which will reach the trouble that the gentleman is trying to reach or suggesting that we put something in here to reach.

Mr. CULLOP. The gentleman admits that the trouble exists?

Mr. SPARKMAN. Oh, yes; I admit that.

Mr. CULLOP. And it is a serious trouble and one contrary to sound public policy.

Now, I desire to deny the proposition that the gentleman makes, that such a limitation would withhold the appropriation for every harbor included in the bill. It would, if all of these harbors were in this combine, for it is one of the greatest trusts in this country. If they were not, that fact could be very easily shown to the War Department, and the improvement of every harbor not under that restriction would go on without interference.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CULLOP. May I have five minutes more?

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. CULLOP. Now, while that situation exists, certainly the money of the Public Treasury ought not to be taken to improve private property, and consequently a showing should be made to the War Department by such a limitation as I have suggested being incorporated in the bill, that this or that particular harbor was not thus controlled, and the improvement

would go on. That showing could be made, I say, and it would not withhold a single cent of the appropriation for the harbor that was free. But where the harbor and the landing facilities, the wharfage facilities, the dockage facilities, are absolutely controlled, as they are in a number of instances in the most important points of commerce in this country, some limitation ought to be made by which they would surrender this monopoly, which is unjust to the American people.

At this time it is a barrier against commerce and a detriment to the trade of this country. There are places now that the Government is appropriating money to improve where a vessel not controlled by one of these numerous corporations can not land or load or unload a single pound of freight.

Mr. SPARKMAN. Could the gentleman state just what harbor is in his mind now?

Mr. CULLOP. I have in mind the harbor at Baltimore, and in part the harbor at Philadelphia, and in a large measure the harbor at New York; a number of them.

Mr. SPARKMAN. I think the gentleman is mistaken.

Mr. CULLOP. Oh, I have heard testimony before my committee to the effect that no vessel not controlled or operated by the Pennsylvania Railroad Co. has any place in the city of Baltimore where it could load or unload, because the Pennsylvania Railroad Co. controlled the frontage and the dockage, and therefore had possession of the trade and the commerce coming from the high seas into that port. It was within the control of that one company to dominate the use of the docks and wharves there.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield?

Mr. CULLOP. Yes.

Mr. MADDEN. Does the gentleman contend that dockage along public waterways ought not to be owned by private individuals?

Mr. CULLOP. They ought not to be owned and controlled so as to shut out commerce. A rental may be proper, but as long as they are owned and controlled in the interests of some single shipping line that is an absolute detriment to the commerce of the country and a hardship upon the people.

Mr. MADDEN. Suppose, for example, the gentleman owned 25 ships, and these ships were sailing into the various ports, does the gentleman contend it would not be altogether proper for him to own his own docks into which these ships could come, and that these ships owned by him should have exclusive right to come into the docks owned by him?

Mr. CULLOP. As a selfish proposition I might claim it, but as a public proposition I have no right to claim it, and I or any other person ought not to be permitted to do so.

Mr. MADDEN. Does the gentleman contend, then, that the municipalities within which the harbors exist should buy all the property used for dockage purposes?

Mr. CULLOP. Not necessarily that; but the municipality in which the docking exists ought to have municipal regulations by which there would be a free interchange of commerce, and that no one line or no one company should absolutely dominate the landing, the loading, and the unloading of the commerce that comes to that port.

Mr. MADDEN. Does the gentleman contend that if he owned a lot, and wished to build a house on that lot, that I would have the right to build a house on the lot and use it when I pleased?

Mr. CULLOP. Oh, that is a different proposition. No individual owns the streams or waterways in this country. Public policy would forbid it.

Mr. MADDEN. Nobody owns the streets.

Mr. CULLOP. No; and you could not build a house in the street. And no man has a right to build the dockages on the banks of either ocean or river to exclude the right or the free exercise of the uses of the port.

Mr. MADDEN. Then I want to say to the gentleman that if his contention were to be exercised as a fact there would be no commerce coming into any State of the Union.

Mr. CULLOP. I beg the gentleman's pardon. There would be more than double the tonnage the first year you turned them over to public use coming into the ports of this country. To-day you are turning it away from these ports by permitting this monopoly to exist, and the people are suffering on account of it.

The improvement of our rivers and harbors, I admit, is a matter of vast public importance. It affects the commerce of the entire population in the country and involves more or less the prosperity of the whole people, but around every appropriation should be strict limitations, in order that it may be expended for public benefit and not in aid of private enterprise. Unless such restrictions are employed for the protection of the public it will inure to the purpose of assisting private enter-

prise. The control of the dockage facilities in our larger coast points constitutes to-day an aggravated monopoly, which harasses commerce and unjustly burdens the producing and consuming public. Private enterprise owning and controlling these facilities have employed them to create and serve monopoly, and thereby restrict the commerce of our country instead of enlarging it. By it traffic on our waterways is restricted and high rates maintained, which affect injuriously every department of business and retard the development of our resources. Our natural highways should remain free and open to the public, and every attempt to monopolize them should be resisted, it matters not under whatever guise it may be presented. Relieve these from the control which now dominate them and open them up to the public, that the commerce of the country may enjoy their unobstructed use and the people have the benefit therefrom and a prosperous condition will result.

The Clerk read as follows:

SEC. 4. That all reports on examinations and surveys authorized by law shall be reviewed by the Board of Engineers for Rivers and Harbors as provided for in section 3 of the river and harbor act approved June 13, 1902, and all special reports ordered by Congress shall, in the discretion of the Chief of Engineers, be reviewed in like manner by said board; and the said board shall also, on request by resolution of the Committee on Commerce of the Senate or the Committee on Rivers and Harbors of the House of Representatives, submitted to the Chief of Engineers, examine and review the report of any examination or survey made pursuant to any act or resolution of Congress, and report thereon through the Chief of Engineers, United States Army, who shall submit his conclusions thereon as in other cases: *Provided*, That in no case shall the board, in its report thus called for by committee resolution, extend the scope of the project contemplated in the original report upon which its examination and review has been requested, or in the provision of law authorizing the original examination or survey: *Provided further*, That said board shall consist of seven members, a majority of whom shall be of rank not less than lieutenant colonel.

Mr. MOORE of Pennsylvania. Mr. Chairman—

Mr. MANN. Mr. Chairman, I reserve a point of order upon the last proviso.

Mr. MOORE of Pennsylvania. Mr. Chairman, I call attention to the fact that the word "be" is omitted before the word "submitted," on line 5, page 55.

Mr. HUMPHREYS of Mississippi. What page?

Mr. MOORE of Pennsylvania. Page 55, line 5. It reads:

And the said board shall also, on request by resolution of the Committee on Commerce of the Senate or the Committee on Rivers and Harbors of the House of Representatives, submitted—

It should read "be submitted," as the Clerk read. Is the word "be" to be in there?

Mr. SPARKMAN. I think the word "be" should be in there, but it was accidentally omitted.

Mr. MOORE of Pennsylvania. I merely submit it to the committee. I do not know whether it ought to be in there or not.

Mr. MANN. Mr. Chairman, I reserve a point of order upon the last proviso, section 4. May I ask the gentleman, as I understand the law now, this board must consist of not less than five or more than nine, leaving it to the Chief Engineer to determine how many of the members shall be on the board, and as a matter of fact the board does not vary. This provision provides seven, the majority of whom shall not be of less rank than lieutenant colonel. How many lieutenant colonels are there in the Engineer Corps?

Mr. SPARKMAN. They have nine division engineers, and I think they are of the grade of lieutenant colonels or colonels.

Mr. MANN. How many of this board now are lieutenant colonels?

Mr. SPARKMAN. I think there are only two lieutenant colonels—maybe three.

Mr. MANN. It looks to me, unless the committee is fully informed on the subject, that they are likely to be embarrassed.

Mr. BURGESS. The report of the majority of them was in the last bill.

Mr. HUMPHREYS of Mississippi. My understanding is there are six altogether on the commission, four of whom are lieutenant colonels.

Mr. MANN. Does it require the majority of them shall be lieutenant colonels?

Mr. SPARKMAN. That is what I am basing my judgment on, because the last law provides that the majority of them shall be of not less rank than lieutenant colonel.

Mr. MANN. That is the law passed at last session?

Mr. BURGESS. The law of 1912 reads:

And provided further, That the majority of said board shall be of rank not less than lieutenant colonel.

Mr. MANN. How does that work? It has not worked well so far.

Mr. SPARKMAN. In what respect has it worked badly?

Mr. MANN. If it has worked well, why do you want to change it?

Mr. BURGESS. We do not want to change it.

Mr. MANN. Oh, yes.

Mr. BURGESS. The language is just the same.

Mr. MANN. You change this feature of the law, which I assume is an evidence that it has not worked well.

Mr. SPARKMAN. No.

Mr. MANN. If it has worked well, then I shall insist on the point of order against changing it.

Mr. HUMPHREYS of Mississippi. The reason is not that it has not worked well, but that it might work ill in the future, because it might be possible to increase the board to nine on one particular project. For instance, where six were unable to agree, it might be possible to increase the number to nine, and thereby get a verdict.

Mr. MANN. On the other hand, it seems to me that there may be some project, not of great importance, which may properly be submitted to 5 members, and there might be some other project, like the intercoastal proposition or the Chicago-Gulf proposition, or something of that sort, where they would want the opinion not only of 9, but perhaps of 19.

Mr. HUMPHREYS of Mississippi. The gentleman can understand, of course, how very severe criticism could be made upon the board of engineers where a project was reported unfavorably by nine, and the board was immediately reduced in number to five, six, or seven. I know the gentleman can draw upon his imagination and see certain gentlemen arising here and claiming that the board had been stacked against a particular project.

Mr. MANN. I think I have quite a vivid imagination at times, but that goes beyond my imagination; not beyond my imagining somebody criticizing it, because during this debate I have heard gentlemen severely criticize the Engineer Corps, although I am sure that it was rather in a facetious than a serious manner, for I think no one who is familiar with that corps really criticizes their judgment or their honesty.

Mr. HUMPHREYS of Mississippi. I agree to that absolutely. Nobody familiar with the corps would criticize them.

Mr. MANN. I have some doubt about this paragraph, but I withdraw the point of order. I question the desirability of it.

The CHAIRMAN. The point of order is withdrawn. The Clerk will read.

The Clerk read as follows:

SEC. 5. That section 5 of the river and harbor act approved July 25, 1912, be, and the same is hereby, amended and reenacted so as to read as follows:

"SEC. 5. That the Secretary of War is authorized and directed to have prepared and transmitted to Congress at the earliest practicable date a compilation of preliminary examinations, surveys, and appropriations for works of river and harbor improvement similar in general form and subject matter to that which was prepared in accordance with the act of June 13, 1902, and printed in House Document No. 421, Fifty-seventh Congress, second session; *Provided*, That the report to be prepared in accordance with this provision shall be a revised edition of the report printed in the document above mentioned, extended to the end of the Sixty-second Congress."

Mr. MANN. Is not the chairman of the committee willing to move to strike out the words "and reenacted," in line 20, page 55?

Mr. SPARKMAN. Yes; I move that the words "and reenacted," in line 20, page 55, be stricken out.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 55, line 20, amend by striking out the words "and reenacted."

The amendment was agreed to.

The Clerk read as follows:

SEC. 6. That the first paragraph of section 6 of the river and harbor act approved July 25, 1912, be, and the same is hereby, amended and reenacted so as to read as follows:

"SEC. 6. That there shall be printed 3,000 copies of a revised edition of the laws of the United States relating to the improvement of rivers and harbors passed between and including August 11, 1790, and the close of the third session of the Sixty-second Congress, of which 600 copies shall be for the use of the Senate, 1,400 copies for the use of the House, and 1,000 copies for the use of the War Department. Said compilation shall be printed under the direction of the Secretary of War."

Mr. SPARKMAN. I move to strike out the words "and reenacted" in line 13, page 56.

The CHAIRMAN. The gentleman from Florida offers an amendment which the Clerk will report.

The Clerk read as follows:

On page 56, in line 13, strike out the words "and reenacted."

The amendment was agreed to.

The Clerk read as follows:

SEC. 11. That the President of the United States is hereby authorized to designate any officer of the Corps of Engineers, United States Army, whose assignment of duty relates to harbor work in, or in the neighborhood of, New York Harbor, to act as a member of the New Jersey and New York Joint Harbor Line Commission, constituted by authority of the Legislatures of the States of New Jersey and New York: *Provided*, That no expense shall be incurred by the United States by reason of such designation, except the usual and necessary travel

expenses of the officer so designated between his station and the place of meeting of the commission: *And provided further*, That the officer so designated shall perform his duties as member of the commission without interference with his regular duties, and that he shall receive no additional compensation from any source on account of his service on such commission except such reimbursement of his expenses for other travel with the commission as may be provided by the States aforesaid.

Mr. MANN. Mr. Chairman, I reserve a point of order on that section.

Mr. FOWLER. Mr. Chairman, I desire to offer an amendment.

Mr. MANN. Does my colleague's amendment relate to this section or is it a separate paragraph?

Mr. FOWLER. It is a separate paragraph.

Mr. MANN. That is what I supposed. I reserve a point of order on the section read.

Mr. Chairman, legislation is a very peculiar thing. I waited until this section had been read. No one offered to strike it out; no one offered to amend it. It contains this provision with reference to the President being authorized to designate an officer of the Engineer Corps in relation to the New York Joint Harbor Lines Commission:

That the officer so designated shall perform his duties as member of the commission without interference with his regular duties, and that he shall receive no additional compensation from any source on account of his service on such commission except such reimbursement of his expenses for other travel with the commission as may be provided by the States aforesaid.

This was about to be agreed to by unanimous consent, having passed through one of the ablest committees of this House, and was about to pass the House without any question. Only within a week this House agreed to an amendment inserted by the Senate in a House joint resolution on this same subject, giving the President the same power named in this section, and this joint resolution, which has now gone to the President for his signature, contains this language, which was also agreed to by unanimous consent:

And the officer designated may receive such compensation for his services on said commission as may be provided by the States aforesaid.

One day we pass a joint resolution authorizing the President to designate an engineer officer to serve on a joint commission and authorize him to receive additional compensation. That is passed by unanimous consent. The next day we pass the same thing and provide that he shall not receive additional compensation, and that is passed by unanimous consent.

Mr. DAVIDSON. The mistake was in passing the first one.

Mr. MANN. This matter has already passed both Houses and gone to the President for his signature, and it seems to me it would somewhat complicate matters to pass a resolution one day stating that the authorities should be given an officer who shall receive additional compensation and the next that he shall not receive any additional compensation. I make the point of order.

Mr. MONDELL. Will the gentleman yield?

Mr. MANN. Yes.

Mr. MONDELL. Does the gentleman realize that it has been pretty well demonstrated that it is impossible to change a line of this bill and that Members have got discouraged?

Mr. MANN. Well, the gentleman will see it done now.

Mr. MONDELL. By the masterly hand of the gentleman from Illinois.

Mr. HUMPHREYS of Mississippi. There is no trouble when you know how.

Mr. MANN. I am not criticizing the Committee on Rivers and Harbors, I am only calling attention to this legislation to show its peculiarities.

Mr. SPARKMAN. Mr. Chairman, there are many things that go through this House that I know nothing about. I am sorry to make the admission, but it is true. This bill was reported before the provision had passed to which the gentleman from Illinois has just referred.

Mr. MANN. On the contrary, if the gentleman will pardon me, the House joint resolution passed the House on August 19, 1912. It passed the Senate only a few days ago, and the House within a week agreed to the Senate amendment, which consisted in striking out the preamble. I will state frankly to the gentleman from Florida that I think the provision in the bill is better than the provision in the joint resolution.

Mr. SPARKMAN. Mr. Chairman, I have no objection to the provision going out.

The CHAIRMAN. The point of order is sustained.

Mr. FOWLER. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amend, page 59, after line 13, by adding the following as a separate paragraph: "Improvement of the Wabash River and Little Wabash River, Ill., \$200,000, for the purpose of deepening and widening the channel of said rivers."

The CHAIRMAN. Is this a new paragraph?

Mr. FOWLER. It was intended to follow the section that has gone out, but inasmuch as it has gone out I offer it as a separate paragraph after section 10.

Mr. Chairman, I am aware of the fact that a commission some two years ago was appointed for the purpose of surveying the Wabash River and for the purpose of determining the advisability of improving it on an extensive scale. I am also aware of the fact that there was a provision in the bill during the last session of Congress for the purpose of surveying the Little Wabash River. The survey which was ordered two years ago for the Wabash has not yet been made by the engineers, and the survey on the Little Wabash ordered during the last session of Congress to a certain extent has been made. I have not been able to see it, for it has been so recent.

But, Mr. Chairman, in view of the great amount of territory which would receive the benefit from the improvements of the Wabash and the Little Wabash Rivers, I think that this sum of money ought to be appropriated for the purpose of giving relief. These great waterways drain half of two States. In fact, they run through a territory which is second to none in the world in productivity. It is one of the finest corn belts that is known to man, and some of the finest corn in the world is produced in that section of the country. Indeed, Mr. Chairman, there are ears of corn which grow in that belt 15 inches long, and will compare favorably in size to that of any other corn in the world. That being the case, Mr. Chairman, I insist that this committee ought to give some attention to the improvement of these great waterways.

I say this, Mr. Chairman, in all earnestness. I do not know whether my remarks will appeal to this committee with any degree of consistency or not. I am aware that the committee is a close corporation, and I know that it is the history of legislation during my short period in Congress that it is done by committees and not by Congress, as a rule. These committees are governed largely by the reports of heads of departments, and whatever may be done here, it must first get the brand of approval from a department before any action will be taken by the committee.

And once the report of a committee is filed, once a bill is brought in the House by a committee, an amendment offered to it upon the floor of the House for the purpose of getting meritorious relief to a worthy project is regarded as a most rebellious deed on the part of the little fellow who comes from a country district. I am aware, Mr. Chairman, of the fact that daggers for this amendment are held by the members of this committee, that they are thick in this House, ready to stab it to death as soon as it may be put to a vote. I know that the itching palm of every one of the members of this committee is not only eager to close its grasp upon the handle of the dagger, but just as soon as the amendment is put to a vote by the Chair up will rise as many daggers in the air as there are members of this committee, and at the same time the fatal, deadly blow will be struck, and what Julius Caesar received at the hands of Cassius and his coconspirators will be nothing but flesh-wounds as compared with the bloody butchery which you have planned for this innocent but meritorious amendment. [Laughter and applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The question was taken, and the amendment was rejected.

By unanimous consent, Mr. Fowler was granted leave to extend his remarks in the Record.

Mr. HAMILL. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

Mr. MOORE of Pennsylvania. Mr. Chairman, a parliamentary inquiry. Is it proper to proceed now with amendments as offered or to revert to the matters left over?

Mr. HAMILL. Mr. Chairman, it is my intention to submit a request for unanimous consent.

The CHAIRMAN. The Chair takes it that it is in order to proceed to the consideration of any independent section.

Mr. HAMILL. Mr. Chairman, it is always in order to ask unanimous consent, and it is for unanimous consent I now ask to return to page 5, line 17 of the bill, and to present the amendment which I have sent to the desk.

The CHAIRMAN. The gentleman from New Jersey asks unanimous consent to return to the page indicated. Is there objection?

Mr. CALLAWAY. Mr. Chairman, I object, for the reason that I want to offer an amendment. I will reserve the right to object and state that I want to offer an amendment at the conclusion of the bill. If I will not lose my rights by the House going back to some other part of the bill, I shall not object, but I want to offer an amendment at the conclusion of the bill.

The CHAIRMAN. The Chair thinks now is the time to do that.

Mr. CALLAWAY. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. Does the gentleman object to the request of the gentleman from New Jersey?

Mr. CALLAWAY. For the time being. I do not want to lose any of my rights. I offer the amendment which I send to the Clerk's desk and ask to have read.

The Clerk read as follows:

Amend by striking out the period after the last word of the bill, inserting a colon, and add:

"Provided further, That no part of the appropriations in this bill shall be used for any purpose whatsoever except for maintenance of existing projects."

Mr. CALLAWAY. Mr. Chairman, I see from this report that it will take only \$2,222,650 to maintain all of the projects that we now have. The Democratic Party came in preaching economy. This Congress, if it keeps on at the rate it is going, will expend more money than any previous Congress. By adopting this amendment we can cut out over \$38,000,000 on this particular bill, and that will be a proof to the people of this country that we mean what we say. It will be in accordance with genuine statesmanship; it will be a genuine economy. There has been no showing on this floor by anyone, not even a contention, that a dollar of the new expenditure provided in this bill is an investment that would be worth anything to the Nation or that could be expected to produce a return on the investment. This is not doing away with or letting go down a single project that we have, though we have wasted millions of money. We ought here and now to adopt a different policy from that we have been following under the Republican lead. We as Democrats ought to expend the public money only when there is a showing by the committee that the investment is such an investment as a reasonable man in the conduct of his own business would make and not simply a pork-barrel proposition handed out to different men in different sections of the country to get them to come in and support a raid on the Treasury which is absolutely indefensible.

Mr. ALLEN. Will the gentleman yield?

Mr. CALLAWAY. Yes.

Mr. ALLEN. Would it be the gentleman's idea it would be economical now to discontinue a project, for instance, the improvement of a river that is to be improved, say, with 20 dams, 10 of which have been built and 10 remaining, not to provide anything for the remaining construction?

Mr. CALLAWAY. It would be unless there is a showing by the committee or some member of the committee or somebody in a report or somewhere or somehow that it is a good proposition for the Government to go on and conclude. There has been no statement or showing here of a single project that we are now working on or beginning. It looks reasonable to me that we should keep what we have, protect what we have completed, and let it add as much to commerce as it will, but until there is some conclusive showing that it is right and proper and economical and a good investment to spend more money I would not go further. I would cut this pork-barrel business out.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas.

The question was taken, and the amendment was rejected.

Mr. HAMILL. Mr. Chairman, I now ask unanimous consent to take up the amendment I send to the Clerk's desk.

The CHAIRMAN. The gentleman from New Jersey asks unanimous consent to return to—

Mr. SPARKMAN. Mr. Chairman, reserving the right to object, I would like to hear some explanation of what the gentleman's amendment proposed to do.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

After line 17, on page 5, insert as a new paragraph the following: "Improvement of the Hudson (North) River channels of the harbor of New York, N. Y., in accordance with the report submitted in House Document No. 710, Sixty-second Congress, second session, \$200,000: Provided, That the Secretary of War may enter into a contract or contracts for such materials and work as may be necessary to complete the said project, to be paid for as appropriations may from time to time be made by law not to exceed in the aggregate \$1,370,000, exclusive of the amounts herein and heretofore appropriated."

Mr. EDWARDS. Mr. Chairman, I object.

Mr. HAMILL. Will the gentleman withhold his objection until I can explain the amendment?

Mr. EDWARDS. It will be useless to do so. I will finally object.

The CHAIRMAN. Objection is made.

Mr. EDWARDS. I will reserve the right to object if the chairman [Mr. SPARKMAN] wishes it.

The CHAIRMAN. Does the gentleman reserve the right to object, or does he object now?

Mr. EDWARDS. I reserve the right to object temporarily.

Mr. HAMILL. Mr. Chairman, I do hope this amendment will carry, because it contains a very worthy legislative proposition. The improvement which my amendment contemplates is the dredging and deepening of the westerly side of the Hudson River, in front of Jersey City and of Hoboken and several municipalities north of it. In conjunction with my colleague from New Jersey [Mr. KINKEAD] I introduced a bill on this subject at the beginning of the present session.

The facts are these: This amendment contemplates an improvement by dredging from Cummipaw to Fort Lee, a distance of about 11 miles, making available for several miles shore front suitable for the erection of docks and piers to accommodate the shipping now crying for accommodations at this port. This improvement is right opposite Manhattan and at the point where the seven great trunk lines have their terminals. Freight and the commerce of the Nation can be handled much more cheaply and readily than anywhere else in this great port—the greatest on earth—for the reason that the goods are on their way either to Europe or other ports of the world; and if it is merchandise arriving, it is on its way for distribution anywhere in the United States from cars to steamships and directly from steamships to cars.

This development will have a great tendency to wipe out this lighterage charge of 60 cents per ton on every carload of freight coming to New York, which would benefit every agriculturist and manufacturer whose products would come to or be shipped through New York.

The benefits to be derived are continent wide.

This particular area of water front, which can be made so much more valuable to all the people of the United States, has never had one dollar of Government money, except away back in 1875, when \$25,000 was voted to take out a shoal in front of Jersey City.

Going back and looking over the appropriations of the rivers and harbors for the last 30 years, New York (and this is a part of New York Harbor) has never had anything like its fair share of such moneys, especially when you take into consideration its towering importance as a port.

Since the Government was established (see Doc. No. 382, 62d Cong., 2d sess.)—

New York Harbor has had.....	\$6,979,622.14
Boston Harbor has had.....	10,402,687.45
Charleston Harbor has had.....	4,925,191.67
Savannah Harbor has had.....	8,443,703.28
St. Johns River, Fla., has had.....	4,813,003.75
Mobile Bay and Harbor has had.....	5,870,652.43
Galveston Harbor has had.....	9,416,334.72
Cleveland Harbor has had.....	6,659,618.31
Detroit River has had.....	9,700,283.05
Oakland Harbor, Cal., has had.....	3,476,769.60
San Pedro Harbor has had.....	2,784,492.20

The port of New York collects about a million dollars a day in duties, and so forth, which is more than all the other ports combined. In passengers and freight to and from other ports this holds good also, and to sum it all up it is the peerless and incomparable port of this country, and the only way to maintain it is to furnish the facilities that the great strides in shipping and business demand and must have.

I do believe that on grounds of national pride, as a matter of fact, on grounds of national interest, inasmuch as the receipts of New York Harbor are a great asset in the Treasury of the United States for the payment of the Nation's bills, this committee ought to adopt and this House ratify its action by incorporating my amendment in the bill under discussion and granting the sum of money provided in it. [Applause.]

Mr. SPARKMAN. I ask now that the committee go back to the items that have been passed.

The CHAIRMAN. Without objection, we will return to the items passed and not considered. The Clerk will report the first item, on page 9.

The Clerk read as follows:

Improving Woodbury Creek, N. J., in accordance with the report submitted in House Document No. 635, Sixty-second Congress, second session, and subject to the conditions set forth in said document, \$8,000.

Mr. MOORE of Pennsylvania. Mr. Chairman, I offer an amendment which I send to the Clerk's desk.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 10, line 3, by inserting: "Improving Frankford Creek, Philadelphia, \$15,000."

Mr. MOORE of Pennsylvania. Mr. Chairman, the discussion on Frankford Creek the other day leads to the belief that the committee is willing to relent upon this proposition. The gentleman from Mississippi [Mr. HUMPHREYS], in discussing the matter with me on the floor on Saturday, indicated that it would be a waste of time to ask for a survey of Frankford Creek, in that it had already been surveyed and the merits of the propo-

sition were understood both by the engineers and by the committee.

Now, in view of the fact that the gentleman from Florida [Mr. SPARKMAN], chairman of the Committee on Rivers and Harbors, has indicated in answer to certain questions that there are many instances in which appropriations are made for the improvement of rivers that bisect cities, I think the time has come fairly and squarely to ask the committee to make the appropriation which the Government itself has asked, which is positively needful in this vicinity for the improvement of commerce.

Mr. MONDELL. Mr. Chairman, this bill is no more remarkable for many of the items that it contains than it is by reason of the fact that it does not contain items that it should contain. It is full of appropriations for lonesome harbors and way-back creeks, and here is a proposition having to do with the commerce of the American people as a whole, which ought to be in the bill and is not. The gentleman from New Jersey—

Mr. SPARKMAN. Mr. Chairman, the matter now being discussed by the gentleman is not before the House, and I make the point of order that he must confine himself to the amendment under consideration.

The CHAIRMAN. The gentleman from Florida [Mr. SPARKMAN] raises the point of order that the gentleman from Wyoming [Mr. MONDELL] is not confining himself to the amendment. The gentleman will proceed in order.

Mr. MONDELL. Mr. Chairman, the item which is offered by the gentleman from Pennsylvania [Mr. MOORE], like the amendment offered by the gentleman from New Jersey [Mr. HAMILL], has to do with the commerce of the American people. In the case of the New Jersey item it has been shown that 75,000,000 tons of commerce per annum pays a lighterage charge of at least 3 cents a hundred, or 60 cents a ton, because we refuse to appropriate a million or a million and a half to make it possible to unload the commerce of the country going west on the west bank rather than the east bank of the North or Hudson River. Millions of tons of freight going into the Mississippi River Valley and into the mountain States has for years paid these charges; the country in which I live every year pays a tribute to the lighterage business across this great river because, forsooth, this Congress can not expend the people's money for the people's business, but must expend it for the protection of private property along rivers, for the purpose of dredging out creeks upon which there never has been and never will be commerce, and for the purpose of improving alleged harbors that never have seen and never will see any considerable commerce.

If there has ever been an item offered to an appropriation bill of this character that ought to be adopted, it is the item offered by the gentleman from Pennsylvania [Mr. MOORE]; and the item offered by the gentleman from New Jersey [Mr. HAMILL] is quite as meritorious, if not more so.

Mr. SPARKMAN. I would like to ask the gentleman first if he has read the report on the item offered by the gentleman from Pennsylvania [Mr. MOORE].

Mr. MONDELL. I have not read all the reports on all of these items, but I do know a good deal about the item referred to by the gentleman from New Jersey [Mr. HAMILL], which the committee turned down, just as it will turn down the item offered by the gentleman from Pennsylvania [Mr. MOORE].

Mr. SPARKMAN. Has the gentleman read the report?

Mr. MONDELL. They all suffer the same treatment at the hands of the committee.

Mr. SPARKMAN. I would like to ask the gentleman if he has read the report on the item of the gentleman from New Jersey?

Mr. MONDELL. I do not know that I have read the report to which the gentleman refers.

Mr. SPARKMAN. The gentleman from New Jersey, I should say.

Mr. MONDELL. But it is quite enough for me to know—

Mr. SPARKMAN. That he offered it.

Mr. MONDELL. I do not have to read the engineers' reports in order to know that there are hundreds of millions of tons of freight unloaded on the east side of the Hudson River at the harbor of New York that ought to be unloaded on the west side, and if the chairman of this committee does not know that, there is a fundamental proposition in regard to river and harbor business that it would be well for him to become acquainted with, because everybody else knows about it. We are spending the people's money to dredge out "Way Back Creek," where there is no commerce, while refusing to spend money where it is needed for carrying the commerce of the American people.

Mr. Chairman, we are about to complete the consideration of this bill. During the debate I have made some observations in

regard to some of these items. I desire that my position shall not be misunderstood. I am in favor of liberal river and harbor appropriations. I have always been of that mind, and what I have said has been for the purpose of calling attention to items which discredit this great work and render it difficult to secure appropriations for worthy objects. I am in position to be impartial in these matters. The people whom I represent are favorable to proper expenditures for these purposes, and yet we have no selfish interest in any item in the bill.

I desire to be fair and not overcritical, and yet I feel justified in saying that the committee has failed in its duty to the House and country in not printing its hearings and in not making a detailed report. The measly report of 10 pages conveys but little information, and if one wants to be informed they must search through numerous volumes of the reports of engineers, and then we would have only one side of the question and still lack the facts which can only be secured by reading the reports of the hearings. Is the committee afraid or only indifferent? Is the committee so sure of the votes secured by a system of judicious apportionment of benefits as to feel entirely independent of the views of Members?

I am in favor, as I have said, of liberal appropriations for rivers and harbors. Where there is commerce or commerce can be created I am not only favorable to improvements helpful to the general commerce of the country, but I do not object to those projects which only serve local interest if it is clear that the expenditure will in fact give facilities which will be utilized. I object to expenditures which can not and will not increase the water-borne commerce of the country or cheapen the cost of transportation to the people. That there are some items of that kind in this bill no one can deny; the only difference of opinion is as to the number of such items.

On the Mississippi we are spending vast sums on the theory, as stated by the gentleman from Louisiana, that the levees are an aid to navigation. The fact is they are of little, if any, aid, but so long as we build and maintain them on the theory they are we shall waste most of our money. I will join in a plan to make our expenditures on the Mississippi and Missouri really effective, but to do it we must first frankly acknowledge we are proposing to protect private property. My criticisms of this bill are in the hope that a system of false pretense and wasteful expenditure based on it may be abandoned for one of frankness and really helpful and useful expenditure.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. MOORE].

The question was taken, and the Chairman announced that the yeas seemed to have it.

Mr. MOORE of Pennsylvania. A division, Mr. Chairman.

The committee divided; and there were—ayes 5, yeas 58.

So the amendment was rejected.

Mr. CULLOP. Mr. Chairman, I desire to ask unanimous consent to extend my remarks by having published in the RECORD an article in the Outlook of January 25, 1913, in regard to New York Harbor.

The CHAIRMAN. Is there objection to the gentleman's request? Without objection, it will be so ordered.

There was no objection.

The article is as follows:

NEW YORK HARBOR.

Since 1767 the width of the Hudson River opposite New York City has been narrowed nearly 50 per cent. This has all been done by successive encroachments of the pierhead line into the fairway. Every few years an agitation would sprig up, and the shore would be built farther out into the river and the pierhead line advanced still farther until now the river is only 2,795 feet wide at its narrowest point, opposite Castle Point, Hoboken. This has several bad effects upon navigation.

First. It greatly increases the current at this point in the Hudson River itself and thus requires higher and more expensive power in the vessels navigating it, and it also makes navigation more difficult.

Second. Another bad effect is the crowding of traffic in the river. One hundred and twenty boats have been counted as passing this section in a single hour in the winter season when no excursion boats are running and when navigation in the upper Hudson is closed, so this probably represents a fair daily average.

Third. The obstruction caused by this narrowing of the Hudson at New York tends to reduce the ebb and flow of the tide throughout the length of the Hudson River, and, according to the engineers, is even now responsible for deterioration of navigable depth in the upper and middle Hudson.

The city of New York depends vitally upon the preservation of this great waterway. The commerce on this river, instead of decreasing, is rapidly increasing in size and number of vessels. Any material impairment of it will greatly tend to cripple the future commercial prosperity of the city.

The congestion of the water front of the city does not come from the demands of its ocean commerce, but from the demands made upon it by a species of traffic which has no business on the water front, namely, the use of the water front as distributing terminals for the New Jersey railways. These railway companies occupy, with their terminals, large sections on both sides of the river. Their tracks run down to the New Jersey shore, where their cars are put upon floats and carried across the river to the New York shore. There the bulk of the freight is broken and distributed into drays on the piers them-

selves and on West Street. This work of distribution is a work which does not need to be performed upon the water front; the freight thus distributed is not going abroad, but is being distributed—most of it—in New York City. If, instead of this wasteful method, these freight cars were either carried under the river by tunnels and then distributed by a marginal railway into terminal buildings for distribution into trucks, or even if they were carried across the river by boats to the terminus of such a distributing railway, 30 or 40 per cent of our Hudson River Manhattan water front would be released at once for its true function of serving as a terminus for ocean-going traffic.

The problem of the New York water front therefore is, in the first place, to restrict it as far as possible to its proper function of serving ocean traffic. It is a splendid water front, with deep water and an unsurpassed fairway, provided we do not spoil it.

There has been no difference of opinion on the part of any careful students as to the wisdom of any further narrowing of the fairway of the Hudson River. In 1857 the matter was carefully studied by a board of engineers acting for the State of New York, who set out all of the foregoing objections to any further narrowing of the river. At the time of their report the river was still 500 feet wider than it is now. This reduction has taken place under the same heedless and selfish pressure which is now being brought to narrow it still further. It was narrowed in 1871, in 1890, and again in 1897 under precisely the same cry of emergency which is being raised now. On December 9, 1903, when a similar agitation was raised, Secretary of War Root gave notice that no further encroachment on the fairway would be permitted, and that any further extensions in the length of piers must be made by digging back into the land rather than by stretching out into the river. Three later Secretaries have taken the same ground.

So far as our ocean-going traffic is concerned, the pressure for long piers has arisen thus far simply because it has been cheaper to build out into the river than to dig back into the land. People have preferred to encroach upon the fairway rather than to spend the necessary money to preserve it. We have reached a point where such an attitude is no longer possible or defensible. The city must recognize that the preservation of its primacy in commerce depends upon intelligently attacking these two features of the problem. It must insist upon a proper distribution of its local freight, and it must insist that in future piers the requisite length be attained in a way consonant with the preservation of the river, even if it requires more money to do it.

The vice of the Sulzer bill now before Congress is that, so far from intelligently grappling with these problems, it again seeks to move our pierhead line out into the river. It is a weak yielding to the interested pressure of those who desire to get long piers at the smallest expense and without reference to the insidious but gradual effect upon the city's future. Furthermore, it is an attempt to take out of the hands of the board of engineers a function which they are best suited to perform and to have it done in a much less careful way by Congress. The pierhead line is now in the hands of a board of three engineers known as the harbor line board, who have been making and are at the present time making a careful study of this very question. To pass the Sulzer bill would be to anticipate and foreclose their decision.

Some readers may ask, How does this matter concern the people of inland States and cities? Why trouble us about it? We have problems enough of our own. Let New York settle her own difficulties herself.

The answer is that foreign commerce, coastwise commerce, and trans-continental railway shipments are matters of vital national interest. New York has the most important harbor in the United States; it is the greatest commercial metropolis in the United States; it is the greatest distributing point in the United States. If it does its work inefficiently or expensively the whole country suffers.

In this article we have pointed out defects to be avoided. In a later article we shall describe some definite and scientific plans of harbor improvement.

Mr. CALLAWAY. Mr. Chairman, I want to return to page 14 and offer an amendment.

Mr. SPARKMAN. I object, Mr. Chairman.

The CHAIRMAN. Objection is made.

Mr. MANN. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. MANN. Under the order for passing over, is it not in order to return to the pages we passed?

The CHAIRMAN. That is what we are doing now.

Mr. CALLAWAY. Mr. Chairman, I understood we were returning to the items that had been passed over before. We passed this item on page 14, the page where we now are.

Mr. YOUNG of Michigan. We are now on page 10.

Mr. MANN. We have passed that over.

Mr. CALLAWAY. Mr. Chairman, I ask unanimous consent to return to the item on page 14, providing for the improvement of the inland waterway from Norfolk, Va., to Beaufort Inlet, N. C.

The CHAIRMAN. A motion was made to return to items on pages previous to the paragraph on page 14, and under the order already made we will take them in the order as they come. The Clerk will report the next item that was passed over.

Mr. HUMPHREYS of Mississippi. Mr. Chairman, let me state to the gentleman from Texas [Mr. CALLAWAY] that the particular item that he desires to return to is the item brought up the other day and discussed by the gentleman from North Carolina [Mr. SMALL]. It pertains to his district, and he discussed it very fully; and after the discussion the House adopted it. The gentleman from North Carolina has now, under press of important business, left the city, and is not here. I hope the gentleman from Texas will not insist on returning to that paragraph.

Mr. CALLAWAY. I can not. [Cries of "Read!" "Read!"]

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Improving Delaware River, Pa., N. J., and Del.: Continuing improvement and for maintenance from Allegheny Avenue, Philadelphia, to the sea, \$1,750,000; for maintenance of improvement from Allegheny Avenue, Philadelphia, to Laylor Street, Trenton, \$20,000; and completing

improvement above Laylor Street, Trenton, in accordance with the report submitted in House Document No. 839, Sixty-first Congress, second session, and subject to the conditions recommended by the Chief of Engineers on page 2 of said document, \$114,000; in all, \$1,884,000.

Mr. MOORE of Pennsylvania. Mr. Chairman, I offer the amendment which I send to the Clerk's desk.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Pennsylvania [Mr. MOORE].

• The Clerk read as follows:

On page 10, line 6, after the word "sea," strike out "\$1,750,000" and insert "\$2,000,000," and on line 14, strike out "\$1,884,000" and insert "\$2,134,000."

Mr. MOORE of Pennsylvania. Mr. Chairman, the purpose of this amendment is to induce the committee, if possible, to fix the appropriation for the 35-foot channel in the Delaware River in accordance with the recommendations of the United States Army engineers and in conformity with the plan which contemplates the completion of that channel within six years. An argument has just been made upon another item which indicates that the port of New York is asking for increased facilities; and it is a fact that has been brought out during the last three or four days in the discussion of this bill that the port of New York now has a depth of 40 feet for incoming vessels; that the port of Boston has 35 feet and is asking and will receive through this bill a survey for 40 feet for its harbor; that Boston and Baltimore already have 35 feet, and that Norfolk is substantially at a 35-foot stage.

The city of Philadelphia is 100 miles up the river and bay from the sea, 60 miles from the deep water of the bay. It is without question the greatest revenue-producing inland river of the United States. Last year at Philadelphia there was collected \$21,000,000 of revenue, in a customhouse for which no appropriation has been made in the way of improvements for 70 years. We have been asking that the channel of the Delaware River be improved, and in 1910 the first appropriation was made upon a 35-foot channel project, which contemplates placing the city of Philadelphia, with its million and a half of population, upon an equality at least with the city of Baltimore and with the city of Boston. How long it will take for us to catch up to those two cities now, I know not. It will take us centuries at the present rate of appropriations to catch up to the great metropolis of New York; and so long as New York keeps deepening its harbor and the volume of business increases there, so long the monopolies in shipping will increase, because the great bottoms are now being floated upon the high seas, putting out of business the coastwise trade and the smaller craft, and concentrating everything in the way of commerce and navigation at this one port.

If you gentlemen can fairly and decently ask for appropriations for the Mississippi and for the improvement of inland ports, harbors, and waterways, you must excuse us if we become a little insistent in asking that the project you have approved be completed, so that we may at least keep in business on the great Delaware River.

When the 35-foot channel project was adopted in June, 1910, two and a half years ago, it was estimated that the total cost would be \$10,920,000; that the maintenance cost would be \$300,000, and that appropriations would be made with a view to completion in six years. This was conceded to be due to the great city of Philadelphia and the other cities along the Delaware, producing in 1912 customs revenues in excess of \$21,000,000, and an average annual revenue of about \$20,000,000 for the last 10 years, or twice in one year what is necessary to give us a good channel for all time. In 1910 we were given \$1,500,000 to complete the 30-foot channel and commence work on the 35-foot project, and for 1911-12, \$1,300,000 to continue the improvement up to March 4, 1913.

The work done on the 35-foot channel to the close of the fiscal year ending June 30, 1912, as reported by the engineers, is 6 per cent of the whole project. The engineers have urged appropriations "to permit a rapid prosecution of the work," and the Chief of Engineers in his estimate declares that—

For the year 1914 the appropriation should not be less than \$2,500,000, of which approximately one-half should be in cash; but unless continuing-contract authorization be made, the appropriation should be not less than \$2,000,000 in cash.

Of the amount estimated as a profitable expenditure in the fiscal year ending June 30, 1914, it is proposed to apply \$300,000 to maintenance of the existing channel, and the balance to new work of rock removal, dredging, and dike construction.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. MOORE of Pennsylvania. I ask unanimous consent that I may have at least five minutes more.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent that his time be extended five minutes. Is there objection?

There was no objection.

Mr. MOORE of Pennsylvania. Now, what has the committee reported? For the Mississippi, whose commerce amounted in 1907 to 4,300,000 tons on the whole 2,500 miles from the Lakes to the Gulf, as against 27,000,000 tons in that year upon the 60 miles of the Delaware alone—for the Mississippi, in this bill, you have appropriated \$9,185,000; for the Ohio, \$5,550,000; for the Missouri, \$2,300,000; a total virtually of \$17,000,000, which, if you add the appropriations made to the other tributaries of the Mississippi, will give that stream alone, out of the \$40,000,000 you appropriated in this bill, one-half of the total appropriation made for this year.

This bill cuts the Delaware River appropriation from \$2,000,000, the minimum asked by the engineers as urgent, to \$1,750,000, not for one year, but for 16 months, from March 5, 1913, to June 30, 1914. On this long-term basis the annual appropriation is reduced \$337,000 for the extra four months, in addition to the \$40,000 that must be deducted for maintenance. Instead of the \$2,000,000 recommended by the engineers, therefore, the Delaware River for the next fiscal year will receive but \$1,013,000, a rate that will probably postpone the completion of the 35-foot channel for at least 10 years.

In view of the committee's fair and liberal treatment of the other inland waterways of the country, it seems to me that instead of postponing this project of the Delaware, the purpose of which is to put us upon an equality with other great ports along the Atlantic seaboard, you should let up in this instance and give this, the greatest business-getting, revenue-producing river of the United States, the \$2,000,000 which was the least asked for by the Chief of Engineers in his report.

Mr. SPARKMAN. Mr. Chairman, I should be much pleased if we could see our way clear to accept the gentleman's amendment. I am convinced that the Delaware River, the portions both above and below Philadelphia, is a very important artery of commerce, and the projects for its improvement should be completed as early as practicable; but we have done in this bill all that the engineers have requested us to do at this time. We are appropriating \$1,750,000, which, together with what will go in the sundry civil bill, makes the \$2,000,000 that the engineers recommend. It is true that in their report they suggest, as they have suggested in other reports, that a continuous contract be provided for \$500,000 more. But they say that if this can not be done we should give the amount—I am not quoting the exact language—which would make, with the \$250,000 recommended for the sundry civil bill, \$2,000,000. The language actually used is as follows:

For the year 1914 the appropriations should not be less than \$2,500,000, of which approximately one-half should be in cash, but unless in the continuing contract authorization be made, the appropriation should be of not less than \$2,000,000 in cash.

Now, then, Mr. Chairman, we appropriate in this bill \$1,750,000. The engineers estimate \$250,000 for the sundry civil bill, which makes up the \$2,000,000 in cash.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. SPARKMAN. In a moment. So that if we should make this additional cash appropriation we would do something the engineers did not ask.

Mr. MOORE of Pennsylvania. The \$250,000 was left over from last year?

Mr. BURGESS. No; that is in the sundry civil bill.

Mr. MOORE of Pennsylvania. That carries the work up to March 4.

Mr. SPARKMAN. No; that is where the gentleman is mistaken. The recommendation is made to cover the longer period of time. Nineteen hundred and fourteen can only mean one of two things. It can only mean the fiscal year ending the 30th of June or the calendar year ending the 31st of December. We are not contending that it does the latter. We take the shorter period of time and are appropriating to cover the period from the 4th of March of this year until approximately the 30th of June next year.

Mr. MOORE of Pennsylvania. The appropriation provided for in this bill begins as of March 5, 1913.

Mr. SPARKMAN. Well, no; the 4th of March, not later.

Mr. MOORE of Pennsylvania. That would aggregate \$400,000 for maintenance—\$300,000 for the year—and then there is another quarter.

Mr. SPARKMAN. No; not in the sense the gentleman is contending. There was a newspaper statement to that effect, I believe—and I am not criticizing the gentleman, because I know newspapers perform great service in the world, and I do not object to the gentleman getting into the newspapers as often as he can.

Mr. MOORE of Pennsylvania. The gentleman is now touching on a delicate question. If he will confine himself to the facts—

Mr. SPARKMAN. I am going to do that, but I wanted to allude to an injustice done the committee by a Philadelphia newspaper, and I do not think it was intentional—

Mr. MOORE of Pennsylvania. I want to say to the gentleman that I will not discuss matters in the House one way or the other concerning the way the gentleman from Florida or the gentleman from Georgia or any other Member gets into print. I want to know whether we are to be fairly treated in this commercial transaction when Philadelphia presents her claims based upon commercial merit.

Mr. SPARKMAN. Somebody was discussed a few days ago in this connection, and I have no objection to being discussed to-morrow, though I am not seeking newspaper notoriety.

Mr. MOORE of Pennsylvania. I know the gentleman is not.

Mr. SPARKMAN. What I call the gentleman's attention to is that I saw in the newspaper a statement that I know is an injustice to the Committee on Rivers and Harbors, because pursuing the same line of argument that the gentleman from Pennsylvania pursues, it makes almost the same statement that the gentleman made the other day about the amounts proposed in this bill for the allowance, and it asserts that \$400,000 of the amount would be used for maintenance. Now, the facts are that the engineers only recommend \$300,000, and not \$400,000, for maintenance to cover the very period of time to which the gentleman refers.

Mr. MOORE of Pennsylvania. That would be 16 months. That is my point.

Mr. SPARKMAN. Well, it is practically that, but it is what the engineers recommend. Whether it be 24 months or 5 years, it is what the engineers recommend. We have given the full amount recommended by the engineers for maintenance and for the improvement of the river, whether it is 4 months or 12 or 16 months.

Mr. MOORE of Pennsylvania. Mr. Chairman, I accept the gentleman's statement, but I can not harmonize it with the report of the engineers on page 288, in which a maximum of \$2,500,000 is asked and a minimum of \$2,000,000.

Mr. SPARKMAN. Oh, that was the recommendation in case we provided a continuing contract, but we did not provide for that. True, the report says that for the year 1914 the appropriation should be not less than \$2,500,000, but the engineers confuse the word "appropriation" with the word "authorization," as the next line will show—

But unless continuing contract authorization be made—

The report goes on to say—

the appropriation should not be less than \$2,000,000 in cash—

Which, together with the \$1,750,000 appropriated in this bill and the \$250,000 to come in the sundry civil, makes the cash appropriations without any authorizations \$2,000,000. At the bottom of the report in a note there is this statement:

Of the amount, \$250,000 is for continuing contracts.

That is, of the amount of \$2,000,000 recommended \$250,000 is to go into the sundry civil bill.

Mr. Chairman, I want to say another thing for the benefit of the gentleman from Pennsylvania and of the committee, that in doing work like we are doing in the Delaware River the matter of maintenance does not amount to so much as in other streams where the work has been completed, because in many places, if not in all, the work of improving the river takes care of the maintenance.

Mr. DONOHUE. Mr. Chairman, I move to strike out the last word. As has been stated by Mr. SPARKMAN, the full amount that can be profitably used, according to the information given by the Government engineers, up until June 30, 1914, is \$2,000,000. This bill carries cash of \$1,750,000, and the sundry civil bill carries cash of \$250,000 additional. No part of the sundry civil appropriation of \$250,000 can be used before March 4 of this year. When the sundry civil bill was up last year, and it did not carry the full amount of \$700,000 that I expected it to carry for the Delaware, I inquired as to the reason for cutting it to \$450,000, and was informed that it was because the engineers could not use more than \$450,000 before March 4, 1913. That statement was later corroborated by the engineers.

It may be inexplicable to the members of this committee why my good friend from Philadelphia, Mr. Moore, has taken occasion to do what he has done to-day. The engineers say that we are appropriating the full amount that they can use, and everyone here knows that we can not get any more than the engineers recommend; and yet here is a motion to increase the amount for the Delaware River and another motion to put in an appropriation for the Frankford Creek, for which no recommendation has been made by the engineers. Everyone knows that we can get no appropriation until we have the approval of the en-

gineers. The Frankford Creek, Mr. Chairman, is in my district. Every inch of it is there. When the cleverly juggled stories go to the Philadelphia newspapers they will read well at home. They will show that my distinguished colleague endeavored to get an appropriation for Frankford Creek which was evidently neglected by the Member from that district of Philadelphia who is on the inside on the committee. [Laughter.] Is there a Member in this House who would stoop to such political methods as these for the purpose of reflecting upon anyone else? I wish we could get \$5,000,000 for the Delaware River. The engineers say that after this appropriation of \$2,000,000 it will require \$6,000,000 to complete the work of the 35-foot channel. If we appropriate \$2,000,000 annually, as we are doing now, it will be completed within four years, notwithstanding the fact that the newspapers in Philadelphia have quoted the distinguished exponent of waterways, Mr. MOORE, as saying it will take 10 years to complete that job. I am very glad of this opportunity of clearing the atmosphere to that extent. My good friend does not expect to get any of these amendments through, but it will make splendid reading for the people at home. [Laughter and applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. MOORE].

The question was taken; and on a division (demanded by Mr. MOORE of Pennsylvania) there were—ayes 3, noes 51.

So the amendment was rejected.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word.

Mr. SPARKMAN. Mr. Chairman, I move that the committee do now rise.

Mr. MOORE of Pennsylvania. Choked off again!

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. MOON of Tennessee, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 28180) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, and had come to no resolution thereon.

ENROLLED BILL AND JOINT RESOLUTIONS SIGNED.

Mr. CRAVENS, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill and joint resolutions of the following titles; when the Speaker signed the same:

H. J. Res. 210. Joint resolution authorizing the President to appoint a member of the New Jersey and New York Joint Harbor Line Commission;

H. J. Res. 380. Joint resolution authorizing the granting of permits to the committee on inaugural ceremonies on the occasion of the inauguration of the President elect on March 4, 1913, etc.; and

H. R. 23451. An act to pay certain employees of the Government for injuries received while in the discharge of their duties.

The SPEAKER announced his signature to enrolled bills and joint resolution of the following titles:

S. 6380. An act to incorporate the American Hospital of Paris;

S. 2666. An act granting an increase of pension to William P. Clark; and

S. J. Res. 145. Joint resolution to provide for the maintenance of public order and the protection of life and property in connection with the presidential inaugural ceremonies in 1913.

SENATE CONCURRENT RESOLUTION REFERRED.

Under clause 2 of Rule XXIV, the following Senate concurrent resolution was taken from the Speaker's table and referred to the Committee on Printing:

Senate concurrent resolution 33.

Resolved by the Senate (the House of Representatives concurring). That there shall be printed and bound in cloth, with accompanying maps, 4,000 copies of the report upon Panama Canal Traffic and Tolls, prepared for the President, by Emory R. Johnson, special commissioner on traffic and tolls; that the copies here ordered shall be printed from plates recently prepared for the Isthmian Canal Commission and now in the possession of the Government Printing Office; and that of the copies printed 1,000 shall be for the use of the Senate, 2,000 for the use of the House of Representatives, and 1,000 for the use of the Committee on Inter-oceanic Canals of the Senate.

SWEARING IN OF A MEMBER.

The SPEAKER. The newly elected Member from the State of Arkansas, Hon. SAM M. TAYLOR, presents himself with credentials which are regular. Unless there is objection, the Chair will swear him in.

Mr. TAYLOR appeared at the bar of the House and took the oath of office.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. CRAVENS, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following bill and joint resolution:

H. J. Res. 210. Joint resolution authorizing the President to appoint a member of the New Jersey and New York Joint Harbor Line Commission; and

H. R. 23451. An act to pay certain employees of the Government for injuries received while in the discharge of their duties.

HOUR OF MEETING.

Mr. SPARKMAN. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

IMMIGRATION.

Mr. BURNETT. Mr. Speaker, the Senate has disagreed to the conference report on the immigration bill (S. 3175) and asks for a further conference. I move that the House insist upon its amendment and agree to a further conference.

Mr. MANN. Are the papers here?

The SPEAKER. The papers are here. The gentleman from Alabama [Mr. BURNETT] moves that the House further insist upon its amendment and agree to the conference asked for by the Senate.

The question was taken, and the motion was agreed to.

The SPEAKER. The Chair announces the following conferees.

The Clerk read as follows:

Mr. BURNETT, Mr. SABATH, and Mr. GARDNER of Massachusetts.

DEATH OF HON. S. C. SMITH.

Mr. NEEDHAM. Mr. Speaker, it is my sad duty to announce to the House the death of the Hon. SYLVESTER CLARK SMITH, a Representative from the State of California. During the lifetime of Mr. SMITH he requested in the event of his death while a Member of the House that there be no committee appointed to attend his funeral. I have therefore omitted from the resolutions which I have offered any reference to a committee. Mr. Speaker, I offer the following resolutions and move their adoption.

The SPEAKER. The Clerk will report the resolutions.

The Clerk read as follows:

House resolution 797.

Resolved. That the House has heard with profound sorrow of the death of Hon. SYLVESTER CLARK SMITH, a Representative from the State of California.

Resolved. That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved. That as a further mark of respect this House do now adjourn.

The question was taken, and the resolutions were unanimously agreed to.

Thereupon (at 4 o'clock and 33 minutes p. m.) the House adjourned to meet to-morrow, Tuesday, January 28, 1913, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Secretary of State amending his estimate for an appropriation to investigate the opium, morphine, and other allied drug evils (H. Doc. No. 1305); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Postmaster General submitting a deficiency estimate of an appropriation required by the Post Office Department on account of the parcel post (H. Doc. No. 1306); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Secretary of State, transmitting statement of expenses incurred by officers and employees of the State Department when traveling outside of Washington on official business during the fiscal year ended June 30, 1912 (H. Doc. No. 1308); to the Committee on Expenditures in the State Department and ordered to be printed.

4. A letter from the Secretary of the Interior, transmitting a list of useless papers on file in the Interior Department requesting that they be destroyed (H. Doc. No. 1307); to the Joint Select Committee on Disposition of Useless Executive Papers and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. McGUIRE of Oklahoma, from the Committee on Indian Affairs, to which was referred the resolution (H. Res. 773) referring the bill (H. R. 27995) for the relief of Iowa Tribe of Indians in Oklahoma to the Court of Claims, reported the same without amendment, accompanied by a report (No. 1398), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. LAFFERTY: A bill (H. R. 28452) to amend an act entitled "An act to amend sections 2291 and 2297 of the Revised Statutes of the United States relating to homesteads," approved June 6, 1912; to the Committee on the Public Lands.

By Mr. MANN: A bill (H. R. 28453) to prevent obstructive and injurious deposits within the harbors and adjacent navigable waters of the city of Chicago, Ill., by dumping or otherwise, and to punish and prevent such offenses; to the Committee on Interstate and Foreign Commerce.

By Mr. LAMB: A bill (H. R. 28454) relating to renovated-butter inspection; to the Committee on Agriculture.

By Mr. BERGER: Resolution (H. Res. 796) requesting an inquiry of the clothing and garment industry of New York; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADAIR: A bill (H. R. 28455) granting an increase of pension to Hamilton Wise; to the Committee on Invalid Pensions.

By Mr. BYRNS of Tennessee: A bill (H. R. 28456) for the relief of A. J. Wright; to the Committee on War Claims.

By Mr. DWIGHT: A bill (H. R. 28457) granting a pension to Johannah O'Keefe; to the Committee on Invalid Pensions.

By Mr. EDWARDS: A bill (H. R. 28458) for the relief of the heirs of Frederick R. Wyly, deceased; to the Committee on War Claims.

By Mr. HINDS: A bill (H. R. 28459) granting a pension to George A. Loring; to the Committee on Pensions.

By Mr. HUGHES of West Virginia: A bill (H. R. 28460) granting an increase of pension to C. Milstead; to the Committee on Invalid Pensions.

By Mr. LEE of Pennsylvania: A bill (H. R. 28461) granting an increase of pension to William H. Bartolet; to the Committee on Invalid Pensions.

By Mr. PORTER: A bill (H. R. 28462) granting an increase of pension to Charles W. Smith; to the Committee on Invalid Pensions.

By Mr. RAUCH: A bill (H. R. 28463) granting an increase of pension to John D. Traft; to the Committee on Invalid Pensions.

By Mr. ROTHERMEL: A bill (H. R. 28464) granting an increase of pension to David Good; to the Committee on Invalid Pensions.

By Mr. RUCKER of Colorado: A bill (H. R. 28465) to pay an award in favor of the heirs of John W. West, deceased; to the Committee on Indian Affairs.

By Mr. SELLS: A bill (H. R. 28466) granting an increase of pension to William T. Higgins; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of the Twenty-third Council of the Union of American-Hebrew Congregations, Cincinnati, Ohio, protesting against the passage of Senate bill 3175, for restriction of immigration; to the Committee on Immigration and Naturalization.

Also (by request), petition of the Italian-Swiss Colony, San Francisco, Cal., protesting against the passage of Senate bill 3175, for the restriction of immigration; to the Committee on Immigration and Naturalization.

By Mr. ANSBERRY: Petition of members of the Sigma Phi Delta Club, the Informal Study Club, the Chautauqua Literary and Scientific Club, and the Zetetic Club, of Leipsic, Ohio, favoring the passage of the McLean bill granting Federal protection to all migratory birds; to the Committee on Agriculture.

Also, petition of the National Association of Railway Commissioners and the Public Service Commission, of Columbus, Ohio, favoring the passage of legislation (S. 6099) for the establishment of a uniform classification of freight; to the Committee on Interstate and Foreign Commerce.

By Mr. BYRNS of Tennessee: Papers to accompany the bill for relief of A. J. Wright, of Williamson County, Tenn.; to the Committee on War Claims.

By Mr. CALDER: Petition of citizens of the United States of America, favoring the immediate passage of legislation validating leases made to the Uncle Sam Oil Mill Co. by the Osage national council; to the Committee on the Public Lands.

By Mr. CARY: Petition of Moisant International Aviators, New York, favoring passage of a bill abolishing the Aerial Corps of the Army and Navy; to the Committee on Military Affairs.

Also, petition of the Mayer Boot & Shoe Co., Milwaukee, Wis., protesting against any reduction or change in the present tariff duties on boots and shoes; to the Committee on Ways and Means.

Also, petition of the Oshkosh Grass Matting Co., Oshkosh, Wis., favoring passage of the Weeks bill (H. R. 27567) for a 1-cent letter-postage rate; to the Committee on the Post Office and Post Roads.

Also, petition of Herbert J. Piper, Milwaukee, Wis., favoring the adoption of the Mall site and design, as approved by the National Commission of Fine Arts, for the memorial to Abraham Lincoln; to the Committee on the Library.

By Mr. DICKINSON: Papers to accompany bill (H. R. 2096) granting an increase of pension to Jessie T. Moore; to the Committee on Invalid Pensions.

By Mr. FITZGERALD: Petition of the American Group of the Société des Architectes Diplômés par le Gouvernement Français, favoring the adoption of the Mall site and design, as approved by the National Commission of Fine Arts, for the memorial to Abraham Lincoln; to the Committee on the Library.

Also, petition of Washington Branch of the Rivers and Harbors Congress, favoring the passage of bill making an appropriation to cover the expense for analyzing the water of the Potomac River; to the Committee on Appropriations.

By Mr. FORNES: Petition of the J. F. Imbs Milling Co., St. Louis, Mo., relative to the present tariff on flour; to the Committee on Ways and Means.

By Mr. FULLER: Petition of C. P. Nelson, Chicago, Ill., favoring the passage of the McLean bill granting Federal protection to all migratory birds; to the Committee on Agriculture.

Also, petition of the Tuthill Spring Co., Illinois, favoring the passage of bill (H. R. 27567) for the reduction of letter postage rate; to the Committee on the Post Office and Post Roads.

Also, petition of John H. McGee, Ironton, Ohio, favoring the passage of House bill 1339, to increase the pension of those who lost an arm or leg in the Civil War; to the Committee on Invalid Pensions.

By Mr. GARRETT: Petition of members of the Ladies' Missionary Society of the Presbyterian Church, Greenfield, Tenn., favoring the passage of an antipolygamy amendment to the Constitution of the United States placing polygamy under Federal jurisdiction; to the Committee on the Judiciary.

Also, petition of teachers and pupils in biology and agriculture in the Berry School, Mount Berry, Ga., favoring the passage of the McLean bill granting Federal protection to all migratory birds; to the Committee on Agriculture.

By Mr. GUERNSEY: Petition of the Antre Street Congregational Church, Machias, Me., favoring the passage of the Kenyon "red-light" injunction bill for the cleaning up of Washington for the inauguration; to the Committee on the District of Columbia.

By Mr. HAMILTON of West Virginia: Papers to accompany bill for the relief of J. P. Jones; to the Committee on Claims.

By Mr. HILL: Petition of the New Haven Chamber of Commerce, New Haven, Conn., expressing their confidence in the integrity of the management of the New York, New Haven & Hartford Railway Co.; to the Committee on Rules.

Also, petition of citizens of Connecticut, protesting against the further importation of aigrettes; to the Committee on Ways and Means.

By Mr. LAFEAN: Petition of the congregation of the First Presbyterian Church, York, Pa., favoring the passage of the Kenyon "red light" injunction bill to clean up Washington, D. C.; to the Committee on the District of Columbia.

By Mr. LEVY: Petition of the Dutchess Manufacturing Co., Poughkeepsie, N. Y., favoring the passage of House bill 27567, for a 1-cent letter-postage rate; to the Committee on the Post Office and Post Roads.

Also, petition of the Philadelphia Association of Friends, Philadelphia, Pa., favoring the striking out or the submitting

to national arbitration of the passage of the Panama Canal act granting free tolls to vessels engaged in coastwise trade of the United States; to the Committee on Interstate and Foreign Commerce.

Also, petition of the Commission of Fine Arts, Washington, D. C., and the American Group of the Société des Architectes Diplômés par le Gouvernement Français, New York, favoring the adoption of the Mall site and design, as approved by the National Commission of Fine Arts, for the memorial to Abraham Lincoln; to the Committee on the Library.

By Mr. LINDSAY: Petition of Herbert S. Gardner, of St. Louis, and Christopher P. Nelson, of Chicago, Ill., favoring the passage of the McLean bill for Federal protection of all migratory birds; to the Committee on Agriculture.

Also, petition of John H. McGee, Ironton, Ohio, favoring the passage of House bill 1339, granting an increase of pension to veterans of the Civil War who lost an arm or leg; to the Committee on Invalid Pensions.

By Mr. McKINNEY: Petition of the missionary society of the Episcopal Church of Warsaw, Ill., favoring the passage of the McLean bill granting Federal protection to migratory birds; to the Committee on Agriculture.

Also, petition of the Monday Study Club, of Rock Island, Ill., protesting against the passage of legislation transferring the ownership and control of the national forests to the States wherein they lie; to the Committee on Agriculture.

By Mr. MOTT: Papers to accompany a bill granting an increase of pension to Francis P. O'Reilly; to the Committee on Pensions.

Also, petition of the Presbyterian Church of Hannibal, N. Y., favoring the passage of the Kenyon-Sheppard bill preventing shipment of liquors into dry territory; to the Committee on the Judiciary.

By Mr. RAKER: Petition of the Chamber of Commerce of Los Angeles, Cal., favoring passage of bill for increased appropriations for adequate aid to navigation along our coast line; to the Committee on Interstate and Foreign Commerce.

By Mr. SELLS: Papers to accompany bill granting an increase of pension to William T. Higgins; to the Committee on Invalid Pensions.

By Mr. UNDERHILL: Petitions of H. S. Gardner, St. Louis, Mo.; C. P. Nelson, Chicago, Ill.; and the American Game Protective and Propagation Association, New York, favoring the passage of the McLean bill for the Federal protection of all migratory birds; to the Committee on Agriculture.

Also, petitions of the American Laundry Machinery Co., Rochester, N. Y.; the American Manufacturing Concern, Falconer, N. Y.; Hogan & Son, New York; the New York Leather Belting Co., New York; and the Waterbury Felt Co., Skaneateles Falls, N. Y., favoring the passage of House bill 27567, for a 1-cent postage rate; to the Committee on the Post Office and Post Roads.

Also, petition of the Navy League of the United States, Washington, D. C., favoring the passage of House bill 1309, for the establishment of a council of national defense; to the Committee on Naval Affairs.

Also, petition of the National Soil Fertility League, Chicago, Ill., favoring the passage of the Smith-Lever agriculture extension bill for the improvement of the agricultural industry; to the Committee on Agriculture.

By Mr. WILSON of New York: Petition of the Chamber of Commerce of Poughkeepsie, N. Y., favoring the passage of legislation for granting a Federal charter for the Chamber of Commerce of the United States of America; to the Committee on the Judiciary.

SENATE.

TUESDAY, January 28, 1913.

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. CULBERSON and by unanimous consent, the further reading was dispensed with and the Journal was approved.

ELECTORS FOR PRESIDENT AND VICE PRESIDENT.

The PRESIDENT pro tempore (Mr. GALLINGER) laid before the Senate a communication from the Secretary of State, transmitting, pursuant to law, an authentic copy of the certificate of the final ascertainment of electors for President and Vice President appointed in the State of Wisconsin at the election held therein on November 5, 1912, which was ordered to be filed.

IMPRISONMENTS IN THE ARMY AND NAVY (S. DOC. NO. 1039).

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of War, transmitting, in re-

sponse to a resolution of the 7th instant, certain information relative to the number of persons serving in the Army and Navy imprisoned during the year 1912, the terms of sentence, location and nature of places of incarceration, the nature of offenses, etc., which, on motion of Mr. WORKS, was, with the accompanying papers, referred to the Committee on Military Affairs and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. CULLOM presented a resolution adopted by members of the Monday Study Club, of Rock Island, Ill., against the transfer of the control of the national forests to the several States, which was referred to the Committee on Forest Reservations and the Protection of Game.

He also presented a resolution adopted by the Board of Trade of Springfield, Mass., favoring an appropriation for the improvement of the Connecticut River from Long Island Sound to Holyoke, in that State, which was referred to the Committee on Commerce.

Mr. WORKS presented a memorial of the Humboldt Chamber of Commerce, of Eureka, Cal., remonstrating against the repeal of the oleomargarine law, which was referred to the Committee on Agriculture and Forestry.

Mr. NELSON presented a memorial of the congregation of the Seventh-day Adventist Church of Good Thunder, Minn., and a memorial of the congregation of the Seventh-day Adventist Church of Amboy, Minn., remonstrating against the enactment of legislation compelling the observance of Sunday as a day of rest in the District of Columbia, which were ordered to lie on the table.

Mr. TOWNSEND presented memorials of the congregations of the Seventh-day Adventist Churches of Jackson, Houghton, and Greenville, all in the State of Michigan, remonstrating against the enactment of legislation compelling the observance of Sunday as a day of rest in the District of Columbia, which were ordered to lie on the table.

Mr. BRANDEGEE presented a petition of members of the Young People's Christian Endeavor Society of the South Congregational Church, of New Britain, Conn., praying for the passage of the so-called Kenyon red light injunction bill, which was ordered to lie on the table.

He also presented a memorial of the congregation of the Seventh-day Adventist Church of Willimantic, Conn., remonstrating against the enactment of legislation compelling the observance of Sunday as a day of rest in the District of Columbia, which was ordered to lie on the table.

Mr. PERKINS presented a resolution adopted by the Chamber of Commerce of Corona, Cal., favoring the passage of the so-called agricultural extension bill, which was ordered to lie on the table.

He also presented a memorial of the congregation of the Seventh-day Adventist Church of Mountain View, Cal., remonstrating against the enactment of legislation compelling the observance of Sunday as a day of rest in the District of Columbia, which was ordered to lie on the table.

He also presented a memorial of the General Federation of Women's Clubs, remonstrating against transferring the control of the national forests to the several States, which was referred to the Committee on Forest Reservations and the Protection of Game.

He also presented resolutions adopted by the Humboldt Chamber of Commerce, of Eureka, Cal., against the repeal of the oleomargarine law, which were referred to the Committee on Agriculture and Forestry.

PROOF OF SIGNATURES.

Mr. CLARK of Wyoming, from the Committee on the Judiciary, to which was referred the bill (H. R. 20102) relating to proof of signatures and handwriting, reported it with an amendment and submitted a report (No. 1162) thereon.

COURTS IN TEXAS.

Mr. CULBERSON. From the Committee on the Judiciary I report back favorably without amendment the bill (H. R. 24194) to create a new division of the western judicial district of Texas and to provide for terms of court at Pecos, Tex., and for other purposes, and I submit a report (No. 1161) thereon. I ask unanimous consent for the present consideration of the bill.

The PRESIDENT pro tempore. The bill will be read for the information of the Senate.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration. It provides that the counties of Reeves, Ward, Martin, Reagan, Winkler, Ector, Gaines, Andrews, Upton, Midland, Loving, Jeff Davis, and Crane shall constitute a division of the western judicial district of Texas.